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CALIFORNIA DISASTER RELIEF ACT OF 1969

(91–4)

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON FLOOD CONTROL

OF THE

COMMITTEE ON PUBLIC WORKS
HOUSE OF REPRESENTATIVES

NINETY-FIRST CONGRESS

FIRST SESSION

ON

H.R. 6508, H.R. 6509

TO PROVIDE ASSISTANCE TO THE STATE OF CALIFORNIA FOR THE RECONSTRUCTION OF AREAS DAMAGED BY RECENT STORMS, FLOODS, LANDSLIDES, AND HIGH WATERS

MARCH 20 AND 21, 1969

Printed for the use of the Committee on Public Works

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CONTENTS

TEXT OF BILLS

H.R. 6508, H.R. 6509: To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters ..... Page 2

TESTIMONY

Anderson, Hon. Glenn M., a Representative in Congress from the State of California 53
Corman, Hon. James C., a Representative in Congress from the State of California 72
Frost, Jack, Director, Emergency Loan Division, Farmers Home Administration, U.S. Department of Agriculture; accompanied by H. V. Campbell, Assistant General Counsel, Rural Conservation and Development, USDA 273
Johnson, Hon. Harold T., a Representative in Congress from the State of California 9
Koisch, Gen. Francis P., Director of Civil Works, U.S. Army Corps of Engineers; accompanied by Lt. Col. Kenneth McIntyre 251
Lipscomb, Hon. Glenard P., a Representative in Congress from the State of California 189
MacDonald, Ken, assemblyman, Ventura County, Calif., accompanied by Assemblyman Don MacGillivray, Santa Barbara, Calif 207
McFall, Hon. John J., a Representative in Congress from the State of California 54
Maloney, Martin F., Deputy Director for Engineering, Bureau of Public Roads, Federal Highway Administration, Department of Transportation; accompanied by F. J. Verity, Bureau of Public Works Program Office; and Richard S. Salzman, Assistant Chief Counsel, Federal Highway Administration, Department of Transportation 241
Mathias, Hon. Robert B., a Representative in Congress from the State of California 194
Moe, James A., director, California Department of Public Works; accompanied by John Lagarra, State highway engineer; and Emerson W. Rhyner, deputy chief of legal division, department of public works 174
Nelson, M. M., Deputy Chief, Forest Service, USDA; accompanied by E. M. Bacon, Deputy Chief, Forest Service, USDA; and Reynolds Florance, Director, Division of Legislative Reporting and Liaison, Forest Service, USDA 222
Pettis, Hon. Jerry L., a Representative in Congress from the State of California; accompanied by W. A. Sidler, flood control engineer, San Bernardino County Flood Control District 197
Rogerson, Howard, Deputy Associate Administrator, Small Business Administration; accompanied by Clarence Cowles, Director, Office of Disaster Loans 214
Russell, Fred J., Deputy Director, Office of Emergency Preparedness; accompanied by Charles Kendall, General Counsel 245
Samson, Charles P., director, California Disaster Office 74
Sisk, Hon. B. F., a Representative in Congress from the State of California 44
Talcott, Hon. Burt L., a Representative in Congress from the State of California 61
Teague, Hon. Charles M., a Representative in Congress from the State of California 59

MATERIAL RECEIVED FOR THE RECORD

Page

Anderson, Hon. Glenn M., a Representative in Congress from the State of California, statement 53

Atkisson, Mrs. J. B., letter relative to the damages to the Glendora area of southern California 37

Ayala, Ruben S., chairman, board of supervisors, San Bernardino County Flood Control District, letter 201

California disaster office, damage data 74

Carpinteria, Calif., "Floods of 1969", prepared by Santa Barbara County Flood Control and Water Conservation District, Santa Barbara Soil Conservation District, City of Carpinteria, California Division of Soil Conservation 115

Chronology of Governor's proclamations for storm damage to State of California from 1969 storms 176

Clausen, Hon. Don H., a Representative in Congress from the State of California 41

Clay, Jack A., area chairman, area IX, California Association of Soil Conservation Districts, statement 15

Department of the Army, Office of the Chief of Engineers, Brig. Gen. Francis P. Koisch, letter providing answers to questions posed by Representative Pettis 255

Finale, William, listings of estimated flood dmage to Indian lands as presented by the U.S. Department of the Interior, Bureau of Indian Affairs, Sacramento office, letter 34

Gianelli, William R., director, department of water resources, the resources agency, State of California, statement 19

Holifield, Hon. Chet, a Representative in Congress from the State of California, statement 69

Johnson, Hon. Harold T. (Bizz), a Representative in Congress from the State of California 9

McFall, Hon. John J., a Representative in Congress from the State of California, statement 55

Madison, Bernice L., Los Angeles, Calif., letters 257

Osborne, H. G., chief engineer of the Orange County Flood Control District, statement 14

Paulu, Gary F., research planner, Madera County, letter 22

Ramstead, E. O., Mount Baldy, Calif., letter re existing conditions of the San Antonio Canyon Stream, in particular the Mount Baldy Village vicinity 256

Sacramento County, Calif., resolution adopted by the board of supervisors in support of H.R. 6508 38

Sisk, Hon. B. F., a Representative in Congress from the State of California 45

Stearns, James G., director, State of California Resources Agency, Department of Conservation 106

Talcott, Hon. Burt L., a Representative in Congress from the State of California, statement 65

Trabucco, Emile, chairman, Mariposa Soil Conservation District, statement 21

Turner, F. C., Administrator, Federal Highway Administration, letter to Governor Reagan re proclamation of January 30, 1969 244

Utt, Hon. James B., a Representative in Congress from the State of California, letter to Hon. Harold T. Johnson, containing material from Franklin W. Lilley, city manager of the city of Oceanside, Calif., concerning storm damage to public property in Oceanside, Calif 45

Ventura County flood and storm damage, J. K. MacDonald, State assemblyman, report 208

CALIFORNIA DISASTER RELIEF ACT OF 1969

(H.R. 6508, H.R. 6509)

THURSDAY, MARCH 20, 1969

HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS,
SUBCOMMITTEE ON FLOOD CONTROL,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 2167, Rayburn Building, Hon. Robert E. Jones (chairman of the subcommittee) presiding.

Mr. JONES. The subcommittee will come to order.

The purpose of our meeting this morning is to present bills sponsored by Mr. Johnson, who has been joined in it by his colleagues from California, H.R. 6508, and H.R. 6509, to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

The Subcommittee on Flood Control, in recent weeks, visited the affected areas. They have firsthand knowledge and information of the extreme damages which occurred as a result of that catastrophe.

The purpose of the subcommittee meeting today is to consider this legislation and hear from the sponsors.

I will place in the record at this point the bills, H.R. 6508 and H.R. 6509.

(The bills are as follows:)

91ST CONGRESS
1ST SESSION

H. R. 6508

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1969

Mr. JOHNSON of California (for himself, Mr. DON H. CLAUSEN, Mr. ANDERSON of California, Mr. MOSS, Mr. MCFALL, Mr. LEGGETT, Mr. EDWARDS of California, Mr. GUBSER, Mr. TALCOTT, Mr. TEAGUE of California, Mr. WALDIE, Mr. SISK, Mr. MATHIAS, Mr. SMITH of California, Mr. HAWKINS, Mr. LIPSCOMB, Mr. REES, Mr. BROWN of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. PETTIS, Mr. MCCLOSKEY, Mr. HOLIFIELD, Mr. VAN DEERLIN, and Mr. TUNNEY) introduced the following bill; which was referred to the Committee on Public Works

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, landslides, and high waters during December 1968 and January and February 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in

the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount not exceeding $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for the fiscal year ending June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be

incurred for restoring roads in any stage of construction as authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969 in California, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the storms, floods, landslides, and high waters but which, because of changed conditions resulting from the storms, floods, landslides, and high waters, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the storms, floods, landslides, and high waters, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the

increase in the cost of such construction as the result of the storms, floods, landslides, and high waters is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (5) of section 5 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(5) For forest development roads and trails, $187,500,000 for the fiscal year ending June 30, 1970, of which not to exceed $17,500,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the State of California necessary because of the storms, floods, landslides, and high waters in such State during December 1968 and January and February 1969, and $170,000,000 for the fiscal year ending June 30, 1971."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of tim-

ber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 5. In the administration of the disaster loan program under section 7 (b) (1) of the Small Business Act, as amended (15 U.S.C. 636 (b)), in the case of property loss or damage in the State of California resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 (A) cancel up to $2,500 of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years; and (2)

may make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such loan for the first three years of the term of the loan.

SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, at the borrower's option on that part of any loan in excess of $500 (1) cancel up to $2,500 of the loan, or (2) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years without regard to whether the required financial assistance is otherwise available from private sources.

SEC. 7. This Act, other than the amendment made by section 3(e), shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "California Disaster Relief Act of 1969".

91st CONGRESS
1st SESSION

H. R. 6509

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1969

Mr. JOHNSON of California (for himself, Mr. HANNA, Mr. CORMAN, Mr. DEL CLAWSON, and Mr. BOB WILSON) introduced the following bill; which was referred to the Committee on Public Works

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

(Identical To H. R. 6508)

Mr. JONES. The first witness we have scheduled for the morning is Mr. Johnson of California, a member of the Public Works Committee, who also serves on the Subcommittee on Flood Control and has contributed so much to the activities and the accomplishments of water resource development, as a member of the Public Work's Committee.

We are pleased to hear from you, Mr. Johnson.

STATEMENT OF HON. HAROLD T. JOHNSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. JOHNSON. Thank you, Mr. Chairman. In the interest of time, and for our colleagues from California who want to testify, I will not take too much time.

At this time I would like to have placed in the record my prepared statement.

Mr. JONES. Without objection, the statement will be included in the record at this point.

(Prepared statement of Mr. Johnson follows:)

STATEMENT OF HON. HAROLD T. (BIZZ) JOHNSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman, first of all, on behalf of myself and all the people of the State of California let me express my deep appreciation for the consideration which this committee has given to the State of California during the crisis such as we face this year. As you recall, we had a simliar tragedy at Christmas time in 1964 affecting Northern California and the States of Oregon and Washington. As a result of this committee's leadership, the Pacific Northwest Disaster Act of 1965 was enacted and proved to be of tremendous value to the States of the Pacific Northwest, including California in getting back on their feet in the wake of the storms.

This year we face another tragedy in a storm which struck all areas of the state. Chairman Fallon very kindly authorized this Subcommittee and the Subcommittee on Rivers and Harbors to make a joint inspection of the damage. Many of you participated in this field trip during the week of February 11th. I would like to express my sincere gratitude to those who did attend, including the members of the committee's staff and the Executive Agency people who went to California with us to see first hand just what had happened. Although it may be a bit repetitious for some of those who have been out there, I would like to briefly tell you what happened.

This has been an exceptionally wet year throughout the Central and Southern areas of California. Since the start of the normal rainy season in October, most of the areas of Central and Southern California have experienced precipitation up to 250 to 300 per cent above normal. In some places, the rainfall recorded through February is 400 per cent above normal. Much of this has fallen since January 11th in a series of storms which began to bombard the state on that day. During ten days in late January when the storms were at their peak, some southern California areas received as much as 40 inches of rain; that's an average of four inches a day for ten consecutive days.

In the larger drainage areas of California the following average rainfalls were recorded for the month of January, and again virtually all of the January rainfall came in a ten day period:

[In inches]

	January	Norma
North coast drainage	14.52	7.73
Sacramento Valley drainage	15.63	6.80
Northeast interior drainage	11.52	3.43
Central coast drainage	10.42	4.14
San Joaquin drainage	11.58	3.61
South coast drainage	12.83	3.25
Southeastern desert drainage	5.44	1.36

Looking at Weather Bureau statistics, it is easier to pick out the days in late January and February when it did not rain. In our State Capitol, for instance, it did not rain from the 14th to the 17th of January, or the 28th of January. It did not rain on the 1st, 2nd and 3rd of February, nor the 10th, nor the 12th or 13th, or the 16th or the 20th through the 22nd, or the 26th of February. That's 11 out of 49 days that there was no rain. On every other day from the 11th of January to the 1st of March it rained. It not only rained, it poured. Similar records were recorded throughout the state. The mountains are covered with snow packs will in excess of 20 feet. Current snow packs in the hills surpass almost all previous records. Only the snow falls of 1906 exceeded the records which we have attained already this year, and the snow season is far from over. Actually we may have exceeded the 1906 record, but statistics cannot be too precise because all the snow markers and measuring instruments are buried deep in the snow, which is much deeper than ever anticipated when this equipment was installed. The pressure instruments used to calculate the water content of the snow are not functioning because the weight of the snow has exceeded the pressure limits of the equipment.

This means that the State of California suffered the hundreds of millions of dollars of damage experienced in the past weeks, but with spring runoff forecasts ranging from 190 per cent to 450 per cent above normal, we face a most grave threat of much greater loss. I should point out the Corps of Engineers with the full co-operation of local, state, and other Federal Water Conservation and Flood Control Agencies are making a valiant effort to provide the maximum flood control storage capacity in existing reservoirs in preparation for the anticipated spring runoff. The House Public Works Committee and this Subcommittee under your outstanding leadership Mr. Chairman, has been responsible for the development of a tremendous flood control program in California. In this disaster alone an estimated one billion 230 million dollars in damage was prevented by existing flood control works constructed largely through the wisdom and foresight and leadership of this Committee. With a preliminary estimate of approximately 265 million dollars damage from this one storm alone, you can see that the job is not yet completed and we must continue the timely program of the construction of our Flood Control Programs.

Tragically with the spring run-off we face this year the existing flood control works, even though operated to full flood control capacities, will not be sufficient to prevent serious flooding—How serious depends on the weather.

Mr. Chairman, during the two days of these hearings we will hear a great deal of testimony from the Executive Agencies of the Federal Government and from the State of California concerning the damage suffered in our Golden State and also what is required to put these disaster stricken areas back on their feet. I would like, however, to touch briefly on the damage picture in order to give the Committee a broad general outline of the losses which were suffered during these tragic weeks. There were, of course, more than one hundred deaths attributed to the storms. Physical property damaged was valued at approximately $265 million according to the latest statistics, with the appraisals and evaluations continuing. This occurred in 40 of the State's 58 counties and was divided about equally between losses to public property and losses to private property. A substantial portion of this loss was to dikes, levees and drainage facilities, restoration of which can be provided for under existing programs such as the Corps of Engineers; Public Law 99 authority or the Office of Emergency Preparedness; Public Law 875 authority.

As far as HR 6508 is concerned, the greatest need is for restoration of storm damaged highways, county roads and city streets. As you know, ours is a mobile society and without adequate transportation facilities, and especially highway routes, our economies collapse. Estimates received just this week from state highway officials indicate that some 79 million dollars worth of roads, streets, and highways were destroyed during the storms. This figure, of course, could skyrocket to twice that if we have substantial floods during the spring run-offs. Of this total $79 million in damage, less than half is eligible for Federal assistance under existing programs. Reconstruction and restoration of roads under the Federal Aid System pose little or no problem since there is adequate funds in the Federal Highway Administration Emergency Relief Program to finance the rebuilding of these. But the Emergency Relief Program under the Federal Highway Act will cover less than $21 million worth of the total damage. Nearly $14 million in damage is eligible for restoration under Public Law 875 through the Office of Emergency Preparedness. However, to date, the President

has only allocated $8 million for California disaster relief under Public Law 875, and this covers not only Federal highway losses, but all other damages which include water and sewer systems, other public utilities, public buildings, and some of the levees, dikes, and drainage facilities under Local or State control. Additionally, it should be emphasized that the Public Law 875 Program provides only for reopening of the roads and not for their complete restoration. You can see, therefore, that there is a tremendous deficiency amounting to more than $44 million which must be made up from State and Federal sources because the local governmental agencies which have jurisdiction over most of these roads and streets just do not have the financial resources to do this work. Helping eliminate this gap is one of the major objectives of the legislation that we have before you, HR 6508 and HR 6509, sponsored by myself and twenty eight other members of the California delegation.

Turning to the private damage, it is estimated that this will approximate $100 million dollars; $55 million of it in the Agricultural areas, 20 million to residential and commercial buildings, and $25 million to privately owned public utilities. The legislation we have before us strives to assist agriculture, private industry and the home owner to recover from the disaster.

With this review of what the situation is in California I would like to outline the provisions of HR 6508 and discuss how we will propose to broaden the Federal Aid, which certainly must be provided if we are to recover. This legislation is very similar to that which was enacted following the Alaskan earthquakes, the Christmas 1964 floods in California, and the Hurricane Betsy Disaster.

Section 1 declares the existence of the disaster and the need for assistance due to the storms, floods, landslides and high waters experienced throughout the State of California during the months of December, 1968, January and February, 1969.

Mr. Chairman, in this connection, I should note that December was included because of the heavy damage suffered in some northern California areas last Christmas by the excessively heavy snows. You can see that the weather pattern for the winter has been severe. While the Christmas snow disaster area in northern California is relatively small geographically, the damage was excessive. One business concern, for instance, had an uninsured loss of more than $1.2 million, according to Small Business Administration appraisals.

Secondly, Mr. Chairman, I feel that we must recognize the extreme threat posed by the potentially disastrous spring run-offs when the snow melts. Therefore I believe that the language should be broadened to include not only the storms themselves, but also the floods which we can expect to suffer when the snow which fell during those storms melts and flows out of the hills.

Section 2 authorizes the appropriation of $15 million for each of Fiscal Years 1969 and 1970 for the temporary and permanent repair and construction of highway and road facilities not on any Federal Aid System and for which no emergency funds are available under any existing provisions of Federal Law.

As you know, Title 23 of the U.S. Code provides that the Federal Government can, through its emergency program, restore to Federal standards roads, streets, and highways on the Federal Aid System.

For roads not on Federal Aid Systems, the only disaster assistance available is through the Office of Emergency Preparedness and Public Law 875, which permits only emergency restoration of public facilities. This can be extremely limited in scope and can leave a tremendous amount of reconstruction left to be done if we are to rebuild our city streets, county roads and highways to acceptable standards. As of this week, the State of California estimates that a total of $79 million in damage was suffered on all types of streets, roads, and highways. Nearly $58 million of this is located on county roads and city streets and state highways not on the Federal Aid System.

Section 2 of HR 6508 would provide federal assistance to bring the remaining roads up to basic standards.

The dollar deficiency even today approaches $50 million and could be doubled after the spring run-off. It would appear, Mr. Chairman, that we must increase the authorizations originally included in HR 6508 to $30 million for each of the two fiscal years.

Section 3 relates primarily to the Forest Service and Bureau of Land Management lands. Basically, it would facilitate a resumption of timber operations by authorizing the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the National

Forest Road System prior to floods. Where the damage is too great to make completion worthwhile, the section would permit cancellation of the contracts.

Section 3(c) would increase the authorization for Forest Development Roads and Trails by $17½ million dollars in each of the fiscal years, 1970 and 1971. The current authorization is $170 million for each of the two years.

The budget for fiscal 1970 includes only $99.5 million in Forest road and trail appropriations. It would appear, therefore, that there is adequate authorization in the gap between the appropriation and the authorization; however, I am concerned that this committee, through this legislation, must make it clear that the damage which has been suffered as a result of the floods, storms, snowfalls and subsequent snow-melt run-offs is not repaired from the basic road and trail appropriation.

Current damage estimates in four Southern California forests where the snow does not prevent damage surveys indicate we are faced with a reconstruction task amounting to $22 million in just those areas. This means that it will require $35 million or more to repair our forest roads and trails that were damaged in January and February and will be damaged as the heavy snows melt, depending upon how the snows come out.

Mr. Chairman, the Public Works Committee took the leadership in building our forest road and trail program. The members of this committee are well aware of the need for continued development of these roads and trails so provisions must be made—and I would suggest the language of HR 6508—to insure that the disaster repair and restoration work does not interfere with the program permitted under the minimal appropriations which have been made for this fiscal year and next.

Section 3(d) reduces from 30 to 7 days the minimum period of advertising on timber sales. One of the effects of the storms and floods has been the complete disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry, which in turn is dependent upon National Forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise communities dependent upon the timber industry will face the imminent prospect of mill shut down and severe unemployment. To help avert this condition, this section would authorize a reduction in the advertising period for timber sales.

Mr. Chairman, I should emphasize that the provisions of Section Three are identical to those in the Pacific Northwest Disaster Act of 1965. These were tremendously successful in solving many of our problems in areas with timber-based economies, and I would hope that they could be reinstated for the current crisis.

Section 4 authorizes the Secretary of the Interior to grant additional time to persons who have filed but did not complete within prescribed time limits the requirements for entry under the various public land laws because of the floods and storms, including the snows. This is a provision incorporated in the 1965 Pacific Northwest Disaster Act and merely recognizes that people hit by storms of this intensity cannot meet their development schedules at the same pace as if they had not been damaged.

Additionally, Mr. Chairman, a question was raised during the field hearings concerning a problem the Bureau of Reclamation faced in handling Office of Emergency Preparedness restoration programs under Public Law 875. The result is that the Bureau cannot, in some instances, operate effectively under this law. I would hope the following language could be added to this section in order to clarify and correct this situation:

"The provisions of Title II under the heading 'Administrative Provisions' of the Public Works Appropriation Act of 1967 (P.L. 89–689) which relates to reimbursement in full by the Office of Emergency Planning to the Bureau of Reclamation, is hereby repealed: *Provided*, That all moneys heretofore paid to the account of the Bureau of Reclamation under the above mentioned provision shall not be affected by the repeal of the provision."

This language will place the Bureau of Reclamation on the same basis under Public Law 875 as the Corps of Engineers. Through enactment of this provision, the Office of Emergency Preparedness will be in a position to contract with whichever agency can more efficiently and effectively and economically do the job. By a quirk of the law this is not the case today.

Section 5 relates to the Small Business Administration Disaster Act and is designed to encourage direct loans to any person or business concern suffering

loss or damage without regard as to whether or not financial assistance is available through private or personal sources. The SBA has a fine disaster loan program, but it is not operating the way that Congress intended it.

Small Business Administration administrative regulations now in force, in effect, limits SBA help in the private sector to those individuals who are able to sign a "pauper's oath." These regulations have reduced drastically the help which SBA provides the private sector in natural disasters. As an example, in the current crisis, 15 field offices established by SBA in California received through March 14 some 4,300 inquires and gave out 3,159 applications. Barely more than a tenth of these applications were returned and of those returned only 164 loans—145 for homes and 19 for businesses—totaling about $775,000 were approved. Compare this, Mr. Chairman, with the loss estimates of $20 million to residential and commercial establishments and $25 million to privately owned utilities. It is obvious the system is not working.

I would suggest, therefore, that in this section we spell out that the Small Business Administration make direct loans to the extent of the loss suffered in the storms without regard as to whether or not financial assistance is available through private or personal sources and that the disaster loan program created by Congress as section 7(b) of the Small Business Act be administered as it was prior to March 19, 1968, when unrealistic and arbitrary limitations were imposed, limitations which virtually destroyed the effectiveness of this program. Let me emphasize the following factors:

1. SBA Aid is not a grant. It is to be repaid.
2. A disaster is a disaster to *every* disaster victim, and every disaster victim needs an assist.
3. The more affluent the victim, the greater certainty that SBA will be repaid.
4. SBA disaster loans can help disaster victims more fully and more swiftly if the loan procedure is free of all determinations except one . . . the net loss of the disaster victim shall be the amount of the low interest disaster loan.

Section 5 also provides for a forgiveness of $2,500 in interest or principal in any disaster loan. This is the same language as was included in the Hurricane Betsy Disaster Act. That act, as you will recall, granted this only to private schools. In the past a similar exemption was extended to applicants under the Farmers Home Administration emergency program and I personally feel applicants under the Small Business Administration disaster act should receive equal consideration. I should emphasize that this is the only grant consideration given the private sector, and it is little enough considering the losses.

Provisions should be made to authorize the expenditure of funds for this purpose. Additional funds are not needed, however, for the disaster revolving fund as I understand this now has a total of $130 million in it, if the SBA will only use it.

Section 6 provides for the $2,500 forgiveness for the Farmers Home Administration emergency loan programs. This is the same as was incorporated in the Hurricane Betsy Act. I would suggest also the authorization of funds for the forgiveness program.

Mr. Chairman, the Farmers Home Administration is in the same fiscal situation as the Small Business Administration. With some $43 million now in the emergency revolving fund, Farmers Home Administration has sufficient money to meet this crisis if it could be permitted to spend it. The Bureau of the Budget has frozen its emergency revolving fund so that it is severely restricted in its operation.

I would suggest provisions in this legislation to exempt the Farmers Home Administration emergency loan program from the provisions of the Revenue and Taxation Act of 1968, the vehicle by which the funds were frozen.

We have a crisis. People are suffering. The funds are there. Let's use them.

Section 7 terminates the effective date of the Act as of June 30, 1970, except for making payments on expenditures and obligations and commitments already agreed to prior to that date. Mr. Chairman, let me emphasize that all the provisions which we have discussed here are directly related to the California disaster and with one exception, are not permanent legislation. The exception is that provision which I do suggest we incorporate in Section Four to allow the Bureau of Reclamation to participate more effectively under Office of Emergency Preparedness, Public Law 875 programs.

Section 8 entitles the Act, the California Disaster Relief Act of 1969. Mr. Chairman, this has been a lengthy presentation, but I believe it necessary to provide a basis for our hearings.

H.R. 6508 and H.R. 6509 were introduced by me and twenty-eight of my California colleagues February 6, 1969, even as the flood and storm damage was mounting. It was a beginning on which we built our hearings in California February 11th through February 14th.

I have suggested some ways in which I believe we can improve the legislation and I am confident my colleagues on this subcommittee and on the full committee will have other excellent suggestions as we follow the testimony being given here today and tomorrow.

As I said in the beginning, this committee has been very understanding and responsive to the disaster needs of California and other areas of the Nation, and I appreciate the consideration being given now in this new crisis.

Thank you.

Mr. JOHNSON. Mr. Chairman, also at this point I would like to submit for consideration by the committee several statements and documents which have been forwarded to me for presentation to the committee. They are:

(1) A statement by H. G. Osborne, chief engineer of the Orange County Flood Control District for inclusion in the record as requested by my good friend and colleague, James B. Utt. Also included is a copy of a supplement published by the Register giving a pictorial description of the district for inclusion in the committee files.

(2) A statement by Jack A. Clay, area chairman, area IX, California Association of Soil Conservation Districts relative to the flooding in the seven southern San Joaquin Valley counties for inclusion in the record. Also included is a flood map for the committee files.

(3) Statement by William R. Gianelli, director, Department of Water Resources, the Resources Agency, State of California for inclusion in the record.

(4) Statement by Emile Trabucco, chairman, Mariposa Soil Conservation District, for inclusion in the record along with photos for the committee files.

(5) Letter from Gary F. Paulu, research planner, Madera County for inclusion in the record, with photos.

(6) Letter from William Finale with attached listings of estimated flood damage to Indian lands as presented by the U.S. Department of the Interior, Bureau of Indian Affairs, Sacramento area office for inclusion in the record.

(7) Letter from Mrs. J. B. Atkisson relative to damages to the Glendora area of southern California for inclusion in the record.

(8) Copy of Sacramento County Resolution No. 69–92 adopted by the board of supervisors in support of H.R. 6508 along with some factual information relative to the January floods in Sacramento County for inclusion in the record.

(Materials referred to follow:)

ORANGE COUNTY FLOOD CONTROL DISTRICT,
Santa Ana, Calif.

STATEMENT REGARDING FLOOD DAMAGE IN ORANGE COUNTY FROM JANUARY 18 TO 27 AND FEBRUARY 21 TO 26 FLOODS OF 1969

Orange County, California, experienced in 1969 twice within a month's time rainstorms greater than any experienced since 1938.

In the 31-year period between 1938 and 1969, Orange County's population has increased more than ten-fold and the effects of the 1969 flood showed most dramatically on the one hand the effectiveness of the flood control works constructed in that period, and on the other hand the great need for additional works and further improvement of existing works. The great flood of 1938 produced in Orange County approximately $14 million in damage, and took 45 lives, with a population level of approximately 120,000. With a population level of

approximately 1,400,000 in 1969, the two floods combined took no lives directly (5 died in a storm-caused landslide) and produced total damages estimated currently at $12,700,000.

Estimate of direct damages produced by these two floods may be conveniently broken down into those to private and to public property respectively. The following tabulation presents the best estimates as of this time.

Private property

Silverado Canyon (homes and personal property)	$1,160,000
Modjeska and Harding Canyons (homes and personal property)	480,000
El Toro and Mission Viejo area (landslides)	600,000
Laguna Niguel and San Juan Capistrano (landslides)	100,000
Laguna Canyon (homes and private property)	30,000
Aliso Creek (private, industrial, and residential property)	200,000
Santiago Creek (homes and private property)	180,000
Miscellaneous	150,000
Subtotal	2,900,000

Public property

County and city roads and bridges	2,600,000
Flood control district works	6,000,000
Orange County Waterworks District No. 4	100,000
Santiago County Water District	200,000
Carpenter and Serrano Irrigation Districts	350,000
South Laguna Sanitary District	30,000
City of San Juan Capistrano sewers	300,000
Miscellaneous	220,000
Subtotal	9,800,000
Total	12,700,000

Many of the losses above present staggering blows to the public agencies involved. Small cities and districts do not have reserves available to restore service, not do they have sufficient assessed valuation to finance repairs from current income. Almost all of the damages to the public agencies occurred along watercourses which have none or scant improvement work completed to date. Currently the flood control district is conducting its construction program on a pay-as-you-go basis. This program of providing an interim level of protection will be seriously jeopardized for at least 2 years if it becomes necessary to accomplish all flood repairs with local funds. This will seriously delay badly needed improvements and consequently contribute to greater damage from subsequent floods in the face of the rapidly expanding population in Orange County.

A unique problem that also requires consideration at this time is the level of appropriations required to complete the Corps of Engineers survey of the Santa Ana River and Orange County. Completion of this survey and the feasible projects under study would have a far-reaching effect in minimizing future needs for disaster relief.

H. G. Osborne, *Chief Engineer.*

Report by California Association of Soil Conservation Districts, Area IX, Jack A. Clay, Area Chairman

This report covers the agriculture damage to Counties in Area IX, California Association of Soil Conservation District, which includes the Counties of Mariposa, Merced, Madera, Fresno, Kings, Tulare and Kern in San Joaquin Valley (Administrative Area 3 of the Soil Conservation Service). It is estimated that in these seven Counties of Southern San Joaquin Valley 382,100 acres were flooded and that $15,660,000 damages resulted from the storms.

In Southern San Joaquin Valley possibly the greatest loss and suffering was to people of the rural communities and their homes. Tulare County alone had some 265 homes damaged. The hardest hit communities were Orosi, Culter, Woodlake, Lindsay and Dinuba.

The storms caused delay in normal farming operations such as spraying, seedbed preparation, pruning, and planting. Some cotton and navel oranges could not be harvested. The farmer suffered the greatest monetary loss by damage to his planted crops. All crops were affected but it is estimated that the loss from navel oranges was $6,250,000 and the loss to barley was $2,000,000.

Agriculture land itself was damaged. This was in the form of erosion, deposition of debris, and siltation. This will require removal of debris and silt, releveling or reshaping of land and gully and erosion treatment. Erosion damage was especially severe in clean tilled foothill citrus orchards. Heavy concentration of flood waters washed gullies as deep as 15 feet on vineyards and other cropland. There was damage to conservation structures and farm facilities such as irrigation ditches and pipelines, farm levees, farm ponds, drainage ditches, and tile lines, livestock fences and trails.

The summation of the acres flooded and storm damage by areas and Counties is as follows:

County	Acres flooded	Agriculture damage
Mariposa	100	$88,000
Merced	70,000	909,000
Madera	32,000	969,000
Fresno	64,000	934,000
Tulare	100,000	7,000,000
Kings	106,000	2,760,000
Kern	10,000	3,000,000
Total	382,100	15,660,000

Attached, as an appendix, is a more detailed report by Counties in Area IX of California Association of Soil Conservation Districts.

Appendix

We are submitting a Storm Damage Report for the January, 1969 storms for Counties in Area IX California Association of Soil Conservation Districts.

FRESNO

Some 64,000 acres of agricultural land were flooded during the January, 1969 storms.

On this land there has been erosion, sedimentation, and water damage from the intermittent streams drainage of the Coast Range on the west side of the Valley and from the Sierra Nevadas on the east side of the Valley.

There has also been damage to conservation installations.

The storms will also cause a delay in normal farming operations such as spraying, seedbed preparation, pruning, and planting. Some citrus and cotton did not get harvested.

Row and field crops have suffered or have been destroyed from standing water. Damage from standing water on deciduous fruit trees, vines, and citrus is still unknown as some of it will not become evident until later on in the year.

Land	$424,500
Deposition of debris, 600 acres	12,000
Erosion, 7,500 acres	187,500
Sedimentation, 2,500 acres	125,000
Streambank erosion, 25,000 lineal feet	100,000
Conservation installations	116,080
Fences on rangeland, 30 miles	12,000
Drainage ditches, 135,000 cyds	54,000
Irrigation ditches, 50,000 cyds	10,000
Farm ponds, 12	10,000
Stock trails and farm roads, 100 miles	30,000

Crop losses	393,420
Barley, 1,000 acres	20,000
Citrus crop, 2,411 tons	175,600
Vegetables, 2,080 tons	72,800
Cotton, 640 acres	125,020
Grand total	934,000

Acres flooded: 64,000.
Total damage: $934,000.

KERN

The storm of January 18–27, 1969 deluged all of Kern County but there was considerable variation in its pattern and the effected rainfall intensity.

There was a very heavy flow on the Kern River at Kernville; however, the most severe agricultural damages in this general upland vicinity were suffered along an adjacent area which includes the south fork of the Kern River. Here several families had to be evacuated from their homes. There was undercutting and other damages to the highway and farm roads in numerous spots. There was heavy erosion, debris, and sedimentation damages to channels, irrigation ditches, many farm fields and pastures in this general area. Also, these and other damages occurred in many other locations within Kern County.

The flood was concentrated in the foregoing described area of Kern Valley and in addition the Pond-Poso watercourses locations, but it was not limited to these areas.

Approximately 10,000 acres were heavily flooded in Kern County. About 80 percent or 8,000 of these flooded acres were in the north-central part of Kern County west of Highway 99 in the Poso Creek discharge area.

It is estimated that 250,000 acres of agricultural land in northern and central-northeast part fo Kern County were affected by moderate to severe damages by gullying, sheet or rill erosion, and debris or sedimentation.

Heavily flooded, acres	10,000
Erosion, gullying, debris, sedimentation, acres	250,000
Total moderate to severe damages, acres	260,000
Land damages or soil loss	$2,000,000
Crops and livestock	750,000
Agricultural practices or structures	250,000
Total	3,000,000

Acres flooded: 10,000.
Total damage: $3,000,000.

In addition, heavy damages occurred by washout, erosion, and silt deposition on County and State roads, community parks, and recreation areas, private residences and yards. Also, damages were not estimated for upper mountainous and forest lands.

KINGS

The January storm did extensive damage to the Tulare Lake Basin Area in Kings County. Some 50 sections of cropland (32,000 acres) are flooded. Cross Creek and Deer Creek were the source of the major damage. There were washouts, debris deposition, and erosion which caused considerable land damage. This includes:

Acres	*Damage*
75,000 barley	$1,500,000
5,000 alfalfa	250,000
25,000 sugar beets	750,000
1,000 orchards and vineyards	125,000
Loss of investments in corps	2,625,000
Land releveling and shaping	10,000
Farm levies and structures	50,000

Irrigation main canals	50,000
Irrigation pipelines	25,000
Other agricultural loss	135,000

Acres flooded: 106,000.
Total damages: $2,760,000.

MADERA

The storms of January caused nearly a million dollars of damage to agriculture in Madera County. The damage consisted of deposition of debris, damage to crops, erosion damage which will require land releveling and shaping.

The erosion was also especially severe to vineyards and citrus. In some cases the roots are completely exposed. The Fresno River and Cottonwood Creek areas were badly flooded and accounted for over half the flooded areas.

The Chowchila River flooded considerable areas in Merced County as well as that in Madera County.

Area	Acres	Damage
Fresno River	12,900	$332,650
Cottonwood Creek	7,300	249,850
Dry-Schmidt Creek	3,300	108,900
Brenda Creek	800	146,200
Brenda Slough	4,500	26,800
Ash Slough	2,300	77,200
Chowchilla River	900	27,400
Total	32,000	969,000

Acres flooded: 32,000.
Total damages: $969,000.

MARIPOSA

Flood damage for January 1969 storms:

Soil loss:	
Area flooded: 100 acres. Erosion 10,000 acres	$50,000
Structure damage:	
Farm ponds, 12	28,000
Spring renovation	5,000
Private farm roads	5,000
Total	88,000

Acres flooded: 100.
Total damages: $88,000.

MERCED

Flooding and flood damage occurred in Merced County from storms occurring from January 9–27, 1969. Damages have occurred primarily on row and field crops, orchards, and pasturelands.

Flooding occurred on approximately 70,000 acres primarily in the central or trough portion of the County with localized flooding in the eastern portions of the County.

Many acres of orchard, crop and pastureland were flooded for short periods of time and true damages will not be known until late summer.

Major damage occurred as follows:

Estimated acres flooded: 70,000 acres.

Crop and Livestock damage	$201,000
Pasture—lost newly planted 320 acres	16,000
Barley—lost newly planted 5,500 acres	110,000
Alfalfa—lost newly planted 1,000 acres	50,000
Pastureland—delayed grazing	25,000

Soil loss (erosion and sedimentation damage)	286,000
Releveling—due to silt—320 acres	16,000
Erosion damage—gullies, etc	10,000
Debris on cropland—clean up—12,000 acres	240,000
Cropland loss—trees, etc.—10 acres	20,000
Structure damage	450,000
Repair water control ditches and lining, 30 mi	300,000
Surface irrigation system—20 mi	55,000
Control structures—repair	12,000
Farm bridges—4	10,000
Fence repairs—9 mi	5,000
High water—drains	20,000
Delay or concellation—structure	20,000
Total	909,000

Acres flooded: 70,000.
Total damages: $909,000.

TULARE

Approximately 100,000 acres were flooded, mainly in the vicinities of the Dinuba-Orosi area, Cottonwood Creek flood plain, Woodlake, Lewis Creek flood plain and Lindsay. In addition to the flooded areas; there were 20,000 acres damaged from erosion, much of which occurred in the citrus orchards that had little protective vegetative cover.

The monitary value of the agriculture damage is expected to exceed $7,000,000; of which 6 million is attributed to a 20% loss of the orange crop, soil losses from erosion and sedimentation are valued at 1 million.

Damage to homes, especially in Orosi, Culter, Woodlake and Lindsay was severe. It is estimated that 265 homes in Tulare County were flooded with damages of $400,000.

Acres flooded: 100,000.
Total damage: $7,000,000.

January 1969 Floods in California

(By William R. Gianelli, Director, Department of Water Resources, The Resources Agency of California)

The storms which struck California between January 11 and January 27, 1969, were the classic type which historically has produced floods in California. Warm, moist air brought in by a zonal flow from across the Pacific intersected a cold northerly flow over California. These warm storms produced precipitation up to about 7,000 feet.

The first storm which struck on January 11 brought major rises to most streams of the Central and North Coast. This storm was most serious, however, in the Russian River Basin where it caused floods eight and one-half feet above flood stage. The storm also served to prime watersheds in the Central Valley.

The second major storm began on January 18. This storm was unusual in that it produced rainfall from the Oregon to the Mexican borders. The heaviest rainfall from this wave of the storm fell in the central and southern portions of the State, particularly in San Luis Obispo and Ventura Counties. The resulting flood set new records on the tributary in the Upper Salinas River Basin and on the Santa Ynez. Ventura, Santa Clara, and Los Angeles Rivers. Generally, the flooding in the Southern California area was the worst in 31 years.

In the San Joaquin Valley, particularly high flows were generated on the Fresno, Chowchilla, Stanislaus, and the Tuolumne Rivers. Lack of storage space on the Stanislaus and the Tuolumne resulted in extremely high flows on the lower San Joaquin River. For over six hours, the San Joaquin levees passed the greatest flow of record until the levee on the Stanislaus River failed.

Farther north the Sacramento River Flood Control Project was passing very high flows, but these flows were within the design capacity of the project and no major problems developed. Flood control storage in Oroville, Folsom, and Shasta Reservoirs was utilized to contain the high runoff from the mountains.

It is estimated that the storms caused $164 million in damage to public and private facilities. Damage amounted to $60 million in Northern California and to $104 million in Southern California.

Under powers authorized by Water Code Section 128, I made a "declaration of emergency" which was concurred in by Governor Reagan on January 21 retroactive to January 20. The declaration was ordered for work and remedial measures over and above the normal flood control functions of the Department of Water Resources.

A joint State-Federal Flood Operations Center is manned and operated by the Department of Water Resources with the cooperation of the U.S. Weather Bureau. The Department and the Weather Bureau are completely coordinated for the performance of activities where both agencies have mutual responsibility—particularly the river forecasting activities and the related hydrologic data collection. The Weather Bureau performs all weather forecasting activities with no assistance from the Department. Similarly, the Department performs the functions of flood control project operations, flood fighting activities, and coordination of flood operations without assistance from the Weather Bureau.

South of the Tehachapis, flood control and flood operations have been assumed by local agencies. Therefore, the activities of the Department have been restricted to the area north of the Tehachapis with particular emphasis to the Central Valley and the north coastal area.

As a result of the widespread damage, Governor Ronald Reagan proclaimed a state of disaster on January 23, 1969. President Nixon followed the Governor's proclamation by declaring a state of major disaster in California on January 26, 1969. At the present time, 27 counties are included in the disaster area.

A declaration of major disaster allows two federal disaster relief programs to become operational. These are the PL 81–875 and PL 84–99 programs. PL 875 authorizes federal financial assistance to local and state governments for costs necessary to remove immediate threats to health and safety, to prevent property damage, and to resume essential public services. In effect, the program provides assistance in immediate recovery and provides for temporary repairs to damaged public facilities. PL 99 authorizes the U.S. Army Corps of Engineers to provide assistance in flood emergency preparation and flood fighting, in rescue efforts, and in the repair and restoration of any flood control works threatened or destroyed by floods.

PL 875 will be of invaluable assistance to the local governments of California as they dig themselves out of the debris and mud caused by these floods. PL 99 is being used to restore the levee protecting Sherman Island in the Sacramento-San Joaquin Delta which failed during the flood. This will allow the reclamation of over 10,000 acres of extremely valuable agriculture land.

In addition to the federal assistance programs, the State has an Emergency Flood Relief Law which provides assistance to local public agencies in making permanent repairs to real public property damaged by the floods. This Act comes into effect when funds are appropriated by the State Legislature. A bill to appropriate these funds has been passed by the State Assembly and is being considered in the State Senate. We believe that the application of these emergency assistance programs will assist public agencies in California to recover from the damages caused by this flood without imposing additional financial hardship on the citizens of these agencies who are already suffering from damages to their privately owned property.

Although the damages caused by the January 1969 floods were great, they become small in comparison to the damages prevented by the flood control works which your committee has approved over the years. The performance of the flood control system in California during this flood can only be described as magnificent. The Federal Government has invested almost one billion dollars in flood control works in California. The State has spent an additional $200 million for capital costs in connection with these projects. This vast investment justified itself during the January floods. The South Pacific Division of the Corps of Engineers has estimated that the flood control works in California prevented $1.25 billion in damage. Thus in one flood, the flood control works paid for themselves. This does not tell the whole story of the flood control system in California however. Prior to the January floods, these same works had prevented flood damages totaling almost $1.7 billion. Our flood control system has paid for itself more than twice, and still stands ready to prevent damages in the floods that may come next month or next year.

Unfortunately, most of the damages recently suffered were in areas which do not yet have flood protection. In the San Joaquin Valley, heavy flood flows were experienced on the Tuolumne and Stanislaus Rivers. The authorized New Don Pedro and New Melones Reservoirs would have controlled these flood flows. Construction is just now beginning on these reservoirs and their completion is vital to the safety of the rich agricultural lands they will protect. Completion of the Sacramento River Bank Protection Project would also have prevented much damage.

In Southern California, the heaviest part of the storm could not have picked a worse location. It struck in areas which in recent years have begun to feel California's tremendous growth. It crossed over San Luis Obispo, Santa Barbara, Northern Los Angeles, and the populated portion of San Bernardino Counties. Some of the heaviest damage was in areas where flood control projects have been authorized and designed but not constructed because of the shortage of federal funds for civil works in recent years. Santa Paula Creek; Beardsley Wash; Revelon Slough; Cucamonga Creek; Lytle and Warm Creeks; and Tahquitz Creek are projects which would have prevented millions of dollars of damage if they had been constructed. Several proposed projects in this area—Goleta Streams; Carpenteria Valley; Deer, Day, East Etiwanda, and San Sevaine Creeks; Upper Warm Creek; and University Wash and Springbrook—will be coming before your committee in the next two years. We urge you to give them favorable consideration and to authorize them in the forthcoming Flood Control Act of 1970.

The January 1969 floods showed that there is no substitute for flood control works. It particularly showed the need for works in areas where development is rapidly occurring. I urge you to support appropriations at a level which will allow the construction of vitally needed authorized projects. I also urge you to give favorable consideration to any projects which will be appearing before your committee in the years ahead. California's great growth has demonstrated the need for public works projects of all types. The recent disastrous floods have reemphasized the pressing need for the construction of flood control projects to protect people from the violent storms which too frequently descend upon us. We must have the Congress' help in meeting this pressing need.

STATEMENT OF EMILE TRABUCCO, CHAIRMAN, MARIPOSA SOIL CONSERVATION DISTRICT

(JANUARY 1969 FLOOD DAMAGE, MARIPOSA COUNTY)

The damage in Mariposa County falls into three categories.

Dams and farm ponds on the whole, held up in good shape and none of the dams designed by the Soil Conservation Service were damaged, however, we have had problems in the lower ends of several spillways due to excessive run off. Drop structures are needed and the waterways will need reshaping and seeding.

Several ponds which have been in for 15 to 20 years or longer have been damaged and are in need of repair as this is the biggest storm they have endured.

Roadside erosion and road damage dollarwise was the greatest in the county on private property. Some roadside ditches have eroded to the depth of 3 or 4 feet and are in need of drop structures and diversions. An incentive payment in this line would save soil. After this last storm the problem here is very acute and proper application would correct future problems.

Stream bank erosion and gulleying is very extensive and has been greatly aggravated by the recent storm. Corrections are needed here.

Several fields planted late in the fall have suttered gulleying and sheet erosion. Reshaping and replanting is needed.

Damage to private lands

Dams and farmponds of cooperators of Mariposa SCD	$15,000
Farm roads, fences, springs, and pipelines	50,000
Pasture damage, gullying, and sheet erosion	5,000
Sedimentation	2,300
Stream channel erosion	3,600
Drop structures waterways repair	9,400
Total	84,300

Coulterville-Greeley Soil Conservation District, Mariposa County

Dams and reservoirs of cooperators	$10,000
Farm roads, fences, springs, and pipelines	20,000
Pasture damage, gullying, and sheet erosion	2,000
Sedimentation	1,200
Stream channel erosion	3,000
Waterway repair and drop structures	3,500
Total	39,700

Damage to public property

Roads, county	200,200
Other public property (BLM, National Forest, etc.)	[1]

[1] Unknown.

Mariposa County is the area needing watershed control. Holding waters back to prevent flooding to Madera and Merced County. Such as the Chowchilla and Maripsoa watersheds. The need of smaller retention reservoirs will help both Mariposa and the San Joaquin Valley. Both the Coulterville-Greeley and the Mariposa Soil Conservation Districts recommend a complete development of the Chowchilla watershed and the Mariposa watershed.

MADERA COUNTY, CALIF.,
March 6, 1969.

Re Pictures of the January 1969 flood.

HAROLD T. "BIZZ" JOHNSON,
House of Representatives,
Washington, D.C.

HONORABLE SIR: As a result of the congressional hearing which was held in the Madera County Government Center on February 12, 1969, we are sending to you for the subcommittee's files copies of photographs which were taken during the January flood. I trust these photos will be of value to you in making a decision concerning flood prevention programs in Madera County.

Since the occurrence of the January flood, Madera County has experienced a larger and more devastating inundation during the month of February. I believe that Mr. Pat O'Rourke, of the Madera Daily Tribune, has submitted to you photographs under separate cover of this February flood.

It was during this flood that an apparent shortcoming was discovered during the care and sheltering of evacuees from the inundated areas. These evacuees were sheltered in an area which contained the supplies of the Civil Defense Agency which are to be used in the case of national disaster or emergency. According to the Civil Defense Director these materials could not be used during an emergency at local nature such as this, nor did he have the authority to authorize their use under these conditions. It seems to me that if the need exists, provisions should be made for their use because if this is not a disaster, then, what is?

The reason I have included the above paragraph in this letter concerning these flood pictures is that, at the present time, we anticipate another inundation during the spring thaws as great or greater than what has recently occurred. The snow pack in the high country is now three times normal depth and contains 1.6 times the normal amount of water which, in rough terms, means that there is almost five times the normal amount of runoff anticipated from the mountain areas. Our reservoirs are full and, even though they are being emptied as quickly as possible, they will not be able to carry this runoff load.

A second item which came to my attention recently was the result of a meeting between the water users or ranchers and the water district. The district called a meeting of all of the water users in anticipation of being able to sell their excess water stored in the reservoirs to these water users, apparently not mindful of the fact that the lands are already flooded and completely saturated. The ranchers, of course, realizing the need for release of the water in these retaining structures, felt that they could help the situation by accepting water on their land merely for the fact of dispersing it, but did not feel that they should have to pay for water which they did not need. According to the water district, they are not able, by law or federal regulations, to release water unless it is paid for.

It would seem to me that under the emergency conditions, federal restrictions could be relaxed to release water through the canal system without being paid for or face the possibility of losing the dam when the spring floods come.

I trust that these photographs and the above information will be of help to you in assisting us during these forthcoming flood danger periods.

Yours very sincerely,

GARY F. PAULU,
Research Planner, Madera County, Calif.

27-460 O - 69 - 3

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Sacramento, Calif., March 7, 1969.

Hon. HAROLD T. JOHNSON,
House of Representatives,
Washington, D.C.

DEAR MR. JOHNSON: Attached are our estimates of flood damage to Indian lands in California, which are under my jurisdiction, as requested in Mr. Barnes' telephone call of February 11.

The series of storms in January and February in California produced record floods in a widespread area of Central and Southern California. The first of a series of storms arrived on January 11 to 18 and centered in the Russian, Upper Eel and Sacramento River Basin. Precipitation ranging from 7 to 14 inches fell in those areas during the period January 11 to 14 and moderate flooding occurred in the lower Russian and Sacramento River Basins. A second sequence of storms began on January 17 and brought a succession of storm warnings across the Central and Southern regions of the State. Heaviest precipitation fell in the Coast Range extending from Monterey County southward to Los Angeles. Storm totals for the period January 17 to 27 ranged from 12 to 28 inches. The Sierra Nevada, farther inland, also received heavy precipitation with heavy snow at altitudes above 7,000 feet.

These storms continued through February producing record amounts of precipitation in Central and Southern California. Heavy local flooding occurred in many areas. Mud slides and sediment-laden flood water damaged farm lands. Many roads, bridges, and water lines were destroyed or damaged, and many Indian families were isolated due to flooded conditions and road damage.

The attached listings of estimated flood damage have been tabulated by counties all of which, except San Diego County, have been declared as being disaster areas. In addition, the roads on which damage has occurred are divided into two categories: The roads on the approved Bureau systems which may be eligible for emergency funds as provided under Title 23 (Highways) U.S.C.; and, those reservation roads and tracts which are not on the Bureau's systems of roads but serve the Indian people as means of access and egress to homes, domestic and irrigation water system, range and farm lands, community buildings, camp grounds, recreational areas, etc.

Cost estimates for road damage shown for the counties of San Bernardino, San Diego, and Riverside are the results of a joint Bureau of Public Roads-Bureau of Indian Affairs field review on February 12, 13, and 14. We have made no re-evaluation of additional road damage to date on reservations in these three counties. Estimated damage for all other roads, the irrigation systems, and the stream bank and flood channel revetments are based on Bureau of Indian Affairs field reviews.

The U.S. Public Health Service has made a field investigation with Bureau of Indian Affairs of the damage to the domestic water systems at Morongo and has authorized funds for making repairs to pipelines but not for the riprap protection required.

A full report of damage is being made as of this date to the Office of Emergency Planning.

Our Washington office has authorized the expenditure of limited funds for which reimbursement either from Bureau of Public Roads or Office of Emergency Planning is hoped for to accomplish the necessary work required to restore temporary water service and provide limited access for the Indian people.

Emergency domestic water service has been restored to the Morongo Reservation and as of this date, we know of no individuals who are in physical danger. There are, however, four reservations where school bus service has been discontinued because of the condition of the roads as well as three reservations where the only access is by foot. The people of several reservations are having difficulty reaching their livestock-grazing areas to tend stock and their woodlots to obtain fuel for heating their homes. These conditions are being remedied as rapidly as available personnel and equipment permit.

Sincerely yours,

WILLIAM E. FINALE,
Area Director.

1969 Flood Damage to Indian Lands in California, Sacramento Area Jurisdiction, Bureau of Indian Affairs

Table I.—Road system

	Cost estimate
A. Snow removal (over normal amount):	
Area office	0
Hoopa area field office	$2,000
Riverside area field office	0
Total, Sacramento area	2,000
B. Flood or other damage:	
1. BIA road system:	
Area Office, County of Sonoma:	
Dry Creek Res., Rt. S–93	700
Total damage, area office	700
Hoopa area field office	
County of Humboldt:	
Bald Hill Road, Rt. P–11	7,000
No. Bald Hill Road, Rt. S–11	3,400
Dowd Road, Rt. S–16	2,400
Bloody Camp Road, Rt. S–17	2,600
Matilton Cutoff Rd., Rt. S–7	800
Total damage, Hoopa AFO	16,300
Riverside Area Field Office	
County of Riverside:	
Cahuilla Res., Rts. S–20, 21, 22	1,450
Pechanga Res., Rts. S–28, 29	1,550
Soboba Res., Rt. S–16	3,200
Riverside County, subtotal	6,200
County of San Diego:	
Campo Res. and Manzanita Res., Rts. S–10, 12, 13, 14	5,400
La Jolla Res., Rts. S–41	800
Los Coyotes Res. Rts. S–42, 43	1,710
Mesa Grande Res. Rts. S–46, 47, 48, 49, 50	6,000
Pala Res., Rts. S–32, 33, 34	1,900
Pauma Res., Rt. S–3	1,110
Rincon Rt. P–38	1,050
Santa Ysabel Res., Rts. S–52, 53	4,100
Viejas Res., Rt. S–56 and P–58	1,000
San Diego County, Subtotal	23,070
Total damage Riverside, AFO	29,270
Total damage, Sacramento area road systems	46,270
2. Other reservation roads and trails:	
Area office:	
County of Tulare: Tule River Res., tribal roads	1,400
Total damage, area office	1,400
Palm Springs office:	
County of Riverside: Agua Caliente Res., tribal roads	13,100
Total damage, Palm Springs	13,100

Table I. Road system—Continued

	Cost estimate
B. Flood or other damage—Continued	
2. Other reservation roads and trails—Continued	
Riverside AFO, County of Riverside:	
Morongo Res., canyon roads	$6,300
Soboba Res., roads and trails	800
Riverside county, subtotal	7,100
County of San Bernardino:	
San Manuel Res., Springs Rds.	1,900
San Bernardino County, subtotal	1,900
County of San Diego:	
La Jolla Res., Tribal Camp Ground Rd	800
San Pasqual, Duro Road and Trails	900
San Diego County, subtotal	1,700
Total damage, Riverside AFO	10,700
Total damage to other roads and trails, Sacramento area	25,200
Total flood damage to Sacramento area designated "Road system and other Roads and Trails"	71,470

Table II.—Irrigation systems

	Amount
Flood damage:	
Hoopa area field office:	
County of Humboldt:	
Hoopa Reservation: Mill Creek system	$10,000
Total damage, Hoopa AFO	10,000
Riverside area field office:	
County of Riverside:	
Morongo Reservation:	
Hathaway Canyon system	45,000
Upper Potrero system	6,500
Lower Potrero system	2,500
Lower Potrero Springs	2,500
Total damage, Riverside AFO	56,250
Total flood damage to Sacramento area irrigation systems	66,250

Table III.—Domestic water systems

	Amount
Flood damage:	
Riverside area field office:	
County of Riverside:	
Morongo Reservation: Upper Potrero system	$6,000
Total damage, Riverside AFO	6,000
Total flood damage to Sacramento area domestic water systems	6,000

Table IV.—Streambank and flood channel revetments

	Amount
Flood damage:	
Hoopa area field office:	
County of Humboldt:	
Hoope Reservation: Rehabilitation of Campbell Field flood channels	$10,000
Total damage, Hoopa AFO	10,000
Riverside area field office:	
County of Riverside:	
Morongo Reservation:	
Riprap protection of Hathaway Canyon irrigation system	10,000
Riprap protection of Potrero Canyon irrigation system	5,000
Riprap protection of Potrero Canyon domestic water system	8,000
Total damage, Riverside AFO	23,000
Total flood damage to Sacramento area streambank and flood channel revetments	33,000
Total flood damage in all categories to Indian lands in Sacramento area jurisdiction	176,720

PASADENA, CALIF., *February 20, 1969*

Hon. HAROLD T. JOHNSON,
Representative in Congress
House Office Building, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: You and the members of the House Public Works Committee are to be commended on your interest in the unfortunate fire and flood sequence that brought tragedy to the Glendora area of Southern California. The public hearing that you conducted in Los Angeles on February 13 will undoubtedly result in an improved approach to this old problem. Since my advance information indicated that only Agencies would be heard on that date, may I request that this letter be made a part of the record of the hearing.

The disproportionate acreage of the Angeles and San Bernardino National Forest that is in excess of the angle of recline, the arid climate, the high public use of a forest area adjacent to a major metropolitan center—these and other factors all combine to create a most critical fire hazard for our National Forests. Our best protection rests in full application of such fire control measures as fuel breaks, fire breaks and helispots. Unfortunately adequate funding has seriously hampered the application of these known and proven techniques.

The situation has been further aggravated by an injudicious personnel ceiling that left these forests with insufficient manpower for proper management.

The net result was an extensive and damaging fire. Despite tremendous and coordinated effort of all fire fighting facilities, it was impossible to bring the holocaust under quick control or hold it to a minimum acreage. Had adequate fire control measures been fully employed, the picture preceding the flood could have been quite different.

When the big storm hit the bare areas of the burned forest, the Glendora flood was a foredrawn conclusion.

Little can now be done for Glendora. However this tragedy can be a spring board for preventative measures for the future.

In the headwaters of the Los Angeles River, the program of check dams, debris basins, and channelization proved its worth. Had adequate funding been available for similar management techniques in other forest areas, the vulnerability of Glendora would have been reduced.

In my capacity as State and National Conservation Chairman for the Federation of Women's Clubs and as Executive Secretary of the California Conservation Council, I have had an opportunity to come in close contact with a portion of public opinion related to this problem. The Federation of Women's Clubs have adopted resolutions urging full utilization of these pre-planned fire control techniques. The members of the California Conservation Council have frequently submitted testimony to investigating committees. Surely with public support, recognition of the technical advantage of full application of fire control measures, and the support of your committee, adequate funding can be secured for legislation designed to alleviate this problem.

We have great faith that your committee will give this matter full consideration and arrive at the best possible approach to halt the fire-flood sequence that plagues our foothill communities.

Sincerely,

Mrs. J. B. Atkisson.

Board of Supervisors,
County of Sacramento,
March 18, 1969.

Hon. H. T. Johnson,
Member, House of Representatives,
House Office Building, Washington, D.C.

Dear Harold T. (Bizz) Johnson: Thank you for your invitation to testify before the Subcommittee on Flood Control on March 20 and 21, 1969. Unfortunately, local commitments will not allow me to be in Washington during this hearing. However, due to the good work of the committee during their field investigation in February and your further support on increased flood control appropriations, I am sure that the action on HR 6508 and 6509 will be favorable.

I am forwarding you a copy of Sacramento County Resolution No. 69–92 adopted by the Board of Supervisors on February 10, 1969 supporting HR 6508 and HR 6509 and some factual information relative to the January floods in Sacramento County which I presented to the committee during their field investigation.

Thank you for your continued support on these matters which are so important to Sacramento County.

Sincerely,

E. Henry Kloss,
Supervisor, Fifth District.

February 10, 1969.

The total current estimate of flood damage in Sacramento County is $2,448,000. This represents approximately $1,448,000 of public damage as follows:

1. Reclamation District No. 341 (Sherman Island)	$1,200,000
2. Reclamation District No. 317 (Lower Andrus)	5,000
3. Reclamation District No. 407 (Middle Andrus)	15,000
4. Reclamation District No. 800 (Cosumnes River)	27,000
5. Reclamation District No. 1601 (Twitchell Island)	15,000
6. Reclamation District No. 551	11,250
7. Local and State highway damage	175,000
Total public damage	1,448,250

The remaining damage estimated at approximately $1,000,000 represents private damage exclusive of crop losses and occurred mostly at Sherman Island in the Delta of Southern Sacramento County. Sherman Island is approximately 10,000 acres of rich farm land reclaimed from the Sacramento River Delta. A massive levee break during the floods in January inundated the entire island with up to twenty feet of water. The damage to private property was enormous.

Eighty-one families were forced to leave the Island. The homes of 41 of these families are considered totally destroyed. The following is a description of real property and crop losses:

1. 20 house trailers destroyed	$27,000
2. Homes and buildings destroyed	633,000
3. Buildings damaged	18,000
4. Farm equipment lost or damaged	122,000
5. Cost of pumping out island	200,000
Estimated total private damage less crop losses	1,000,000

The value of crops lost or damaged is very high as indicated below:

1. 700 acres of asparagus—lost.
2. 250 acres of alfalfa—lost.
3. 405 acres of newly planted grain—lost.
4. 80 acres of almonds and walnuts—lost.
5. Approximately 8,500 acres of land prepared to plant in now unsuitable.

RESOLUTION No. 69–92

Whereas the County of Sacramento, as well as other counties and communities in the State of California, have been subjected to heavy and continuous rainfall and flood waters; and

Whereas as a result of said rainfall and flood waters, public and private property have been subject to great and serious damage amounting to substantial monetary losses; and

Whereas the conditions resulting from the rainfall and flood waters have caused, and will cause extreme peril to the safety of persons and property in the County of Sacramento; and

Whereas the aforesaid conditions of extreme peril warrent and necessitate the proclamation of the existence of a disaster in the State of California; and

Whereas on January 28, 1969 the Honoroable Ronald Reagan, Governor of the State of California proclaimed a state of disaster in the County of Sacramento, State of California; and

Whereas House of Representative Bills H.R. 6508 and H.R. 6509, which would provide for increases in the amount of federal assistance available to disaster areas under already existing programs, have been introduced for authorization: Now, therefore, be it

Resolved, That the Board of Supervisors, County of Sacramento, State of California, hereby strongly supports H.R. 6508 and H.R. 6509 and urges early favorable enactment to assist the County of Sacramento in making reparations for the substantial monetary losses suffered and to expedite the correction of the conditions that have and will cause extreme peril to the safety of persons and property in the County of Sacramento; and be it further

Resolved, That copies of this resolution be forwarded to the Governor of the State of California, all congressional representatives of the State of California, appropriate state and federal legislative and congressional committees, the California Water Commission, and the Resources Agency of the State of California.

Passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 10th day of February, 1969, by the following vote, to-wit:

Ayes: Supervisors, Gualco, Kloss, Phelan, Wood, O'Brien.

Noes: Supervisors, none.

Absent: Supervisors, none.

FRANK J. BUEL,
Chairman of the Board of Supervisors.
EARL D. JACK,
Clerk of the Board of Supervisors.

The foregoing is a correct copy of a resolution adopted by the Board of Supervisors, Sacramento County, California on Feb. 10, 1969.

Dated Feb. 10, 1969.

CLERK OF THE BOARD OF SUPERVISORS
By NANCY KAY CORBETT, *Deputy.*

Mr. JOHNSON. Mr. Chairman, I want to take this opportunity to thank the chairman of the Public Works Committee, Mr. Fallon, and the chairman of the Subcommittee on Flood Control, Mr. Jones of Alabama, and Mr. Blatnik, the chairman of our Subcommittee on Rivers and Harbors.

They set up the task force that journeyed to California to hold the necessary field inspections and hearings.

On February 10 we met with the Corps of Engineers in Sacramento for a complete briefing on the damage done in the State. On the morning of February 11 we met with the Honorable Ronald Reagan, the Governor of the State of California, and on February 11 we had a full day's hearing, hearing from the State agency people; and then on February 12 we journeyed to the city of Madera, where we heard from the people in the Central Valley of California.

And then on February 13 we held hearings in Los Angeles, to hear from all the people of southern California, as to the amount of damage. And then we moved to Santa Barbara, where we held hearings there on the flood damage as well as the oil problem that had been very much in evidence in the channel off the coast of Santa Barbara.

I do believe that the hearings that were held and the witnesses that appeared gave us a very fine résumé of the damage, and suggest much in the way of legislation.

Prior to leaving on the trip, we did introduce legislation here. There were 28 of us who joined in introducing H.R. 6508 and H.R. 6509, known as the California Disaster Relief Act of 1969.

And this morning we are holding hearings, to hear the various Congressmen in the areas affected, and also from the people representing the State and Federal Government.

I do believe that the bill is broad but that it will probably need some further amendments and refinements, and we do hope that after the hearings this morning and tomorrow that we will be able to sit down in executive session and write a bill to cover the situation.

We had many, many counties affected in the State. They were declared disaster areas by local government, State government, and Federal Government, a number better than 40 at the present time.

And I might say that my interests—I have 13 of the 40 counties which are in that category in my own congressional district. While the damage was not too great, not as great as it was in 1964 and 1965, we still have considerable damage and we might have some more prior to runoff of the heavy snows that are in the area at the present time.

The damage throughout the State was rather heavy. Now, under emergency legislation and disaster legislation, Public Laws 99 and 875, I want to say at this time that people representing the Federal agencies have done a wonderful job in coping with the situation with complete cooperation from the State authorities, from the Governor on down.

The President has made available to California several millions of dollars. The first allocation was $3 million, and then $5 million, and, more recently, $2 million. So there has been a considerable amount of money administered by the Federal agency people in the State to date.

Most of this had to do with the emergency situation. Now we are trying to perfect a piece of legislation that will allow us to restore much of

that damage and bring our State back to normalcy, as it was prior to the disaster that hit us from one end of the State to the other.

With that, Mr. Chairman, I think I will yield now to the other witnesses who were scheduled and who are here.

Mr. JONES. Thank you, Mr. Johnson.

The ranking member of the subcommittee, on our left, is our valuable friend and ardent worker of the committee, the distinguished gentleman from California, Mr. Clausen.

Mr. CLAUSEN. Thank you for those kind comments, Mr. Chairman.

And I, like Mr. Johnson, believe that it would be more to the committee's advantage, and in the interest of time, if I were just to ask permission at this point to submit a statement for the record.

So I will ask unanimous consent to extend my remarks at this point in the record.

Mr. JONES. Without objection, it will be received and printed in the record.

(Statement of Mr. Clausen follows:)

STATEMENT OF CONGRESSMAN DON H. CLAUSEN ON THE CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. Chairman, I want to make a very brief statement here as our Flood Control Subcommittee begins hearings on the California Disaster Relief Act of 1969, H.R. 6508.

At the outset here, today, I want to associate myself with the comprehensive and learned remarks of my distinguished colleague from California, Harold T. "Bizz" Johnson on this legislation.

Mr. Johnson and I share contiguous Congressional districts in Northern California and we have both known, at first hand, the terrible and costly destruction not only of this particular disaster, but of many similar disasters in the past. And, I just want to add at this point, that we have worked together on this proposed legislation that is being considered here today.

While damage on our North Coast of California was not as severe this year as we have experienced in past years, particularly 1964, I want to reiterate one point that I believe is of paramount importance. Our area lives under the constant threat of flood and storm damage—year in and year out and, as a result, we are vitally interested in not just recovery, but prevention.

We, on the North Coast of California, seek an action program of accelerated flood control and water conservation projects to prevent floods—not this recurring reaction program of constantly having to clean up and patch up after a disaster strikes.

Thus far, Congress has spent less than $1 billion in California on flood control and water conservation projects. Yet, the experts tell us that more than $1¼ billion in damage has been prevented because these projects were in place when they were needed.

The fact remains, that when permanent protective works are in place, our people and facilities are most secure from damage resulting from natural disasters.

Our primary problem, as I see it, has been the decline in the level of funding for authorized projects.

In so saying, however, I do not wish to appear ungrateful or unmindful of the great strides we've made. Congress has been very sympathetic to our flood control problems not only in California, but throughout the Nation. Its a fact of life, however, that we must continue to accelerate construction of these projects.

This subcommittee is on record as recognizing and being in sympathy with the extreme hardships suffered by people in flood-stricken areas and the loss of means of their livelihood.

At the present time, there has been massive damage in Central and Southern California and a very high loss of human life. Floods and landslides have destroyed or damaged private and government-owned property including our roads, highways, and bridges.

The people in these areas who have been hardest hit, the small businessmen and home owners, look to us for relief. Therefore, I believe passage of this Disaster Relief Act is absolutely essential.

In my own Congressional district, the people of Guerneville on the Russian River have, once again, been struck by flood waters. We've had urgent pleas from the community and its residents to advance funding to accelerate construction of the Warm Springs Dam project in Sonoma County.

In closing, Mr. Chairman, I believe this Committee must go on record in the strongest possible terms in recommending that more attention and recognition be given to flood control and water conservation in our overall budgetary considerations.

These considerations have caused me to urge the President and the Director of the Bureau of the Budget to restore the most urgent flood control and water conservation projects into the budget at the full Corps of Engineers capabiliy in each case.

Only in this way, in my judgment, can we attain the kind of protection that is so urgently needed to prevent this needless and wasteful loss of human life and property year in and year out.

While the Disaster Relief Program administered by the Small Business Administration has the potential of being a great help for natural disaster victims, experience indicates some agency-imposed restrictions are, in fact, limiting the assistance to people who, in many cases, were hit the worst.

In many ways, the program has had the effect of discrimination against damaged property owners simply because they have been successful in life—people mostly in the middle income group of our population.

When the Committee visited Southern California, we saw the murky mud slides that ruined many homes. Glendora and Loma Linda were typical of the foothill residential sections that had devastating damage—primarily to homeowners.

I was shocked to learn recently that of the three to four thousand applications, only 10% were returned for processing.

The reason given is the so-called "pauper's oath" requirement of the SBA, prior to consideration of a loan.

I submit this is totally unfair and discriminatory. How can we, in the Congress, say that "just because you've been successful, just because you're not on welfare, you are not entitled to assistance in time of natural disaster of major proportions".

I strongly believe that when disaster strikes, everyone should be treated the same. If you have a loss, the amount of the loan should be tied directly to the amount of the loss. Your financial position in life should not be the determining factor.

After all, these funds will be provided in the form of a loan. In most cases, the people affected already have a loan on the home or business they are paying off. Paying of one "dead horse" and assuming the obligations of a second loan are difficult enough, without further compounding their problems.

Therefore, this Committee should urge the SBA to change their administrative procedures and treat all affected disaster victims alike.

They should remove this restriction and concentrate on approving loans for the amount of the estimated damage.

The limitation imposed on March 19, 1968, by the previous Administration should be removed.

Mr. CLAUSEN. As amplification of what the gentleman from California has said, I do want to associate myself entirely with the remarks he has made. I have read his prepared statement, and I think he has performed magnificently in the leadership role. I might admit that his area of central California and other areas of southern California have been similarly hit by major disasters, to our own problems in 1965 when you, Mr. Chairman, brought the Flood Control Subcommittee to the north coast of California to review the very extreme devastation caused by the floods of that year.

While this legislation is designed to develop programs or extend programs relating to a recovery and rehabilitation effort, I would like to submit that I hope that the committee will again advance to the Bureau of the Budget, to the Appropriations Committees, the abso-

lute need to elevate the level of funding for flood control and water resource projects to a point where we can bring about something in the way of an effective completion date, to avoid this sort of thing happening.

And I believe that in Mr. Johnson's district and other sections of central California there is ample evidence of the fact that permanent flood control works, water regulations, and projects in place serve very well. As a matter of fact, it is my understanding from the hearings that some $1.25 billion damage was prevented from the result of projects in place. Many areas in California have been affected more severely than ever before in the history of the State by torrential rains that have broken alltime records.

But there is one point I am going to place some emphasis on before this committee, and this came about as a result of our visit to the southern part of the State. This relates to the area of assistance under the Small Business Act program.

Many of the people are, in fact, required to sign a pauper's oath. I do not believe that a person should have to qualify under the limitations that were established in March of last year; I do not think a person, because of his financial position in life, should be discriminated against, Mr. Chairman. I believe that everyone should be treated fairly and squarely, and I have this in my prepared remarks.

With this, I am more interested in what my colleagues have to say, from the areas that are more specifically affected.

Mr. JONES. I would like to point out to the gentleman that that exception was made in the Louisiana disaster that occurred some 3 years ago, and we took that into account. Because, if you invoke stringent types of requirements, then you cannot do a comprehensive development scheme that would mean complete rehabilitation; and the total effort must be recognized, rather than in fragmented parts.

So I agree with you that if you seek to establish some arbitrary amounts, depending upon the capability of the recipient, then you will lose the total effort in rehabilitation.

I would like to point out, before we go any further, that this committee has promptly dispatched its efforts in almost every catastrophe that has happened, which came within the jurisdiction of this committee. We hastened to Alaska during the earthquake, the Pacific Northwest, and the floods that have hurt that area; to Louisiana; the east coast hurricanes in 1955. All of these were unique, none similar.

So, consequently, to try to write general legislation, which would have comprehensive application, is an impossibility. Therefore, it is necessary for us to take each occurrence and treat it separate and apart from the other; because, as I say, there can be no uniformity in the types of the mishaps that occur.

So, consequently, it is necessary for this committee to take each one of them as they occur and to see that the Federal interests are responsive to the needs of the people in the affected areas.

Mr. CLAUSEN. I might add, Mr. Chairman, that I have discussed this problem with the Small Business Administrator, and I can report to you that he is more than sympathetic to this request. And apparently he has been engaged in discussion with the Bureau of the Budget and others.

Mr. OLSEN. Would the gentleman yield on the point?

I think there is another problem to notice in the authorization and the appropriation for the Small Business Administration. They become more discriminatory because they had not sufficient budget to take care of these situations, and for that reason I think that there ought to be a greater authorization in the Small Business Administration and a greater available appropriation when these kind of catastrophes occur.

Mr. CLAUSEN. The gentleman is very familiar with the problem that we face. I am going to ask that the committee strongly urge the executive branch to make an overall evaluation and recommendation consistent with our own request.

Mr. JONES. Our next witness is our colleague, Mr. Sisk.

STATEMENT OF HON. B. F. SISK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. SISK. Thank you very much for the opportunity to appear. I will only take just a moment.

I simply want to give moral support to my good friends and colleagues from California on this committee. And, Mr. Chairman, I would like particularly to express my appreciation to you and your subcommittee, as well as all the members of the Public Works Committee, on the very excellent job that they do in this area, and for the trip that they made to California.

I would like to ask, Mr. Chairman, for permission to submit a statement in writing, which I will submit to the committee very shortly.

I would simply like to conclude on just one note, Mr. Chairman. We have had, of course, as our colleagues have already indicated, a very serious situation in California; and I would hope that the legislation that comes out would be as flexible as possible. Because at the present time, particularly in the area of central California that I happen to represent, we are, if I can paraphrase a song, "In His Hands," as to what is going to happen in the next few months; and we could have damage totaling tens of millions of dollars in the next 2 or 3 months, in an area where presently we have approximately some 60 to 80 feet of water that have to come down off of the Sierra Nevadas into the watershed, with less than a third of flood control capacity.

Not only have we had substantial damage, but we could, if the temperature and climatic conditions develop just right, suffer far more damage in the next 2 or 3 months than we have already.

Mr. Chairman, I express my appreciation again to you and this committee, having great respect for your committee, and appreciate what you have done in the past; and I leave it in your hands.

Mr. JONES. Thank you very much.

Without objection, the statement will be received and printed in the record; and for all other members, without objection, the chairman, will receive statements and have them printed in the record, without making individual requests, from each member witness.

(Statement of Mr. Sisk follows:)

STATEMENT OF HON. BERNARD F. SISK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

I wish to than you, Mr. Chairman, for the initiative you have displayed in getting this most urgently needed legislation ready for consideration by the Congress. If this much-needed relief is provided for the People of California, they will have you and this Committee to thank for it.

Mr. Chairman, I am sure you know all about the terrible damage that has been done in California by the floods this year, so I will not dwell on that. The one point I would like to stress is that I hope the Committee will see fit to provide flexibility in the legislation it reports out and will make clear in the Committee report that the intent of Congress is to provide help for people and not merely to provide form without substance.

In connection with this, I would like to point out that we in the San Joaquin Valley of California are still not out of the woods as far as the floods of 1969 are concerned. The Southern California area may look forward to the coming months reasonably sure that the worst is over. But not all of us are in that fortunate situation.

The Sierra Nevada range of California contains from 250 to 450 per cent of the amount of water it normally contains. The snow is deep and it is wet. If the weather is unusually warm for a couple of weeks this spring, or if we have some heavy spring rains at the higher elevations, we could find ourselves with major streams running uncontrolled.

On February 28th of this year, I asked the Army Corps of Engineers how much vacant space they would need behind Pine Flat Dam on April 1st in order to cope with the spring runoff, which at that time was estimated at 2.2 million acre feet. Their response was that they would need 350,000 acre feet.

As of last Friday, with 11 days remaining in March, it appeared that the Army Engineers would probably make their 350,000 acre foot goal, but the snowpack is not 2.2 million acre feet, as the Army Engineers estimated earlier—it is now estimated to be more on the order of 2.9 million acre feet—about 30 per cent more than expected.

I have asked the Army Engineers to move water out of Pine Flat Reservoir at a more rapid rate, by running it into Tulare Lake if necessary, but thus far the Army Engineers have not seen fit to act favorably on my request. I fervently hope that I am wrong and they are right. I have nothing but the highest regard for the professional judgment of the Army Engineers, but in the event that their judgment is in error this year, we are going to have serious problems of the highest magnitude in the San Joaquin Valley. It will be imperative, under those circumstances, that the disaster relief program reported out by this Committee and hopefully acted upon by the Congress, be highly flexible in order to meet emergencies unforeseen at this time.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 20, 1969.

HON. HAROLD T. JOHNSON,
Member of Congress,
Washington, D.C.

DEAR BIZZ: With further reference to the damage by the recent rains in Southern California, I am enclosing a letter, and a list of damages, along with photographs, which I received today from Mr. Franklin W. Lilley, City Manager of the City of Oceanside, California. I would appreciate it very much if you would also have this information included in the hearings on the California Disaster Relief Act.

Best personal regards.

Cordially yours,

JAMES B. UTT,
Member of Congress.

OCEANSIDE, CALIF., *March 18, 1969.*

Hon. JAMES B. UTT,
Representative, House Office Building,
Washington, D.C.

DEAR MR. UTT: Attached is a list of damages to public property in Oceanside resulting from the recent storms. Also enclosed are photographs of particular areas which are identified by number.

While Oceanside's damages may appear to be relatively small compared with damages throughout the State of California they are very real to us and cause a substantial draught on City funds.

Thank you for your interest in this matter.

Very sincerely yours,

FRANKLIN W. LILLEY, *City Manager.*

Preliminary estimate, flood damage, city of Oceanside, February 1969

Description	*Amount*
Capistrano Drive—large road fill washed out, storm drain washed out, pavement settled, curb washed out. (Photo 34–A, 00–B)	$15,000
Loretta Street—grade crossing destroyed, concrete washed out, grade undercut. (Photo 2B)	8,000
Pacific Street—grade crossing washed out, large fill lost, pavement and culverts destroyed. (Photo 17–C)	8,000
San Luis Rey River Diversion Dike—breached by river, steel barrier undermined, protective vegetation destroyed, large fill lost. (Photo 28–C)	20,000
Murray Road Grade Crossing—concrete damaged and undermined	2,000
Sewer main and three manholes washed out and severed, filled with mud	10,000
North Oceanside water main washed out and severed. (Photo 2–B)	10,000
Water main from Henie Reservoir undermined and large amount support washed out. (Photo 31–C)	5,000
River Road—1,000 lineal feet washed out, roadbed gone	8,000
Sewer sludge disposal area partially destroyed and washed away	4,000
Buena Vista drainage culverts washed out and destroyed	10,000
Miscellaneous washouts—Loma Alta Creek. San Luis Rey Valley	10,000
Morro Hills washouts—culverts, pavement, roadway	3,000
Pier structural damage to pilings	6,000
Debris disposal	6,000
Total	125,000

Mr. SCHWENGEL. Mr. Chairman.

Mr. JONES. Mr. Schwengel.

Mr. SCHWENGEL. Thank you, Mr. Chairman.

I have followed with avid interest the testimony here before the committee on your problem. We have had a comparable problem in Iowa, in my own town. There is one in the offing this year, conceivably could be one of the largest floods we have had in a hundred years. We are all wrestling with some method of resolution here, and it is a difficult one, admittedly.

It is one we should not back away from, and you people have not. And I commend you for your united effort in this regard.

I have this question. You are aware of the housing bill last year that had an insurance section for disaster, but that cannot be implemented in your case. There can be no relief.

But is anyone prepared to tell us, if we had had this plan several years ago, how this would enable you to help resolve your problems and ease your problems?

I think it might be valuable testimony.

Mr. SISK. I am not prepared to really comment fully on your question, other than to say that many of us have long sought some kind of permanent legislation that would automatically bring into effect and make available all resources of government to meet the needs where they have those extreme disasters that, from time to time, do develop, either from hurricane damage or from earthquakes or floods, and make it as permanent legislation and something that we can depend on and not, in each case, have to come in with separate legislation.

I know this committee and members of the committee have been very much interested in this. Of course, what the effects will ultimately be on that provision, I am aware of the provision, I think of course remain to be seen.

Had it been in effect earlier, I think it would have been helpful, as I understand it.

Again, as I say, unfortunately, of course, it is not applicable in our case.

Mr. SCHWENGEL. Extremely helpful to the homeowners in residential sections where this has some very sad side effects?

Mr. SISK. Yes.

Mr. JONES. I would like to respond, before the gentleman leaves, to the fact that the homeowners in that area could not secure insurance on slides. So it was exempt from insurance coverage. I do not know how anybody could make an actuary based on the possibilities of a mountain slide.

So it goes back to what I said originally, that the uniqueness of the disaster is such that you cannot anticipate, with any degree of accuracy, so far as the insurance applications can be made. So that is the reason why they have to be considered; and then address ourselves to try to make the committee work in a permanent nature.

Mr. SISK. I thank the chairman. That certainly is correct.

Mr. JONES. Thank you.

We have Mr. Anderson on the Public Works Committee, and we would be pleased to hear from you, sir.

STATEMENT OF HON. GLENN M. ANDERSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. ANDERSON. I very briefly want to say for the record that I am a coauthor of H.R. 6508, and I wish to concur with the remarks of the senior members of the Public Works Committee, from California, Congressman Johnson and Congressman Clausen, on everything they have said relative to the need of the passage of this bill.

I traveled with them and other members of the subcommittee throughout California, and had an opportunity to see much of the extensive damage. I want to see us do everything we can do to bring about the passage of this bill.

I would like to have unanimous consent to revise and extend my remarks.

Mr. JONES. Without objection, so ordered.

(Statement of Mr. Anderson follows:)

STATEMENT OF HON. GLENN M. ANDERSON, OF CALIFORNIA, IN SUPPORT OF H.R. 6508, THE CALIFORNIA DISASTER ACT

Mr. Chairman, as a Member of Congress from California and a member of this Committee, I wish to express for myself and on behalf of the people of the State of California, my deep appreciation for the sincere interest and consideration this Committee has given the State of California following the recent flood disaster. Although my Congressional District did not suffer damage, I did observe first-hand the severe damage in many other areas of California. It was my privilege to travel with the Subcommittee and participate in four days of hearings, at which time a great deal of testimony from the executive agencies and from the State of California concerning damage suffered was received. We also observed, on the ground, damage in many areas and the loss experienced to both public and private property.

I was also glad to join with a number of my California colleagues in sponsoring the bill before us today.

The central and southern areas of California this year experienced excessively heavy rainfall coupled with high velocity winds. Most of the areas experienced rainfall of 200 to 300 percent above normal. Through February, in many areas rainfall experienced was almost 400 percent above normal. In some California areas during a 10-day period late in January, an average of four inches of rain a day for 10 consecutive days was experienced. In the Sacramento area on only 11 days out of 49 during January and February rain was not prevalent. Not only did we experience an unusually heavy rainfall during this period, but snowpacks in many mountain areas are at a near all-time high. I am informed that only in 1906 is it estimated that the snowpack exceeded this year.

The storm caused millions of dollars of loss in California and, unfortunately, with the estimated spring run-off forecast, which may be as high as 500 percent above normal, a number of California areas face a threat of additional damage of considerable magnitude. The federal agencies, including the Corps of Engineers, as well as state and local agencies, have all made an outstanding effort to provide maximum flood control storage capacity in existing reservoirs in preparation for the anticipated run-off in the next few months.

Mr. Chairman, at this time, I would like to express my appreciation and recognize the consideration this Committee has given California over the years in authorizing flood control structures. I was particularly impressed by testimony of experts from the federal agencies that an estimated $3.00 in losses has been prevented for every $1.00 invested so far in flood control structures, etc., and that additional savings will continue to be forthcoming from these investments. We must, therefore, look forward to the planning of additional flood control projects in order that savings will result in future years and enable us to avoid the disastrous damages that result from storms, etc. From this last storm alone. California experienced losses in excess of $265 million. This is one single example of why we must continue the flood control program in California.

Turning now to the purpose of H.R. 6508, I can only stress to you the urgent need to provide assistance for reconstruction of areas damaged and to provide relief to those of our citizens who are involved with federal assistance programs.

Mr. Chairman, during the course of these hearings expert testimony will be received from the executive agencies of the federal government and the State of California relative to the damage suffered and the rehabilitation needed.

Physical property loss has been estimated being approximately in the area of $265 million. However, I wish to note this is a preliminary figure subject to refinement and, from what I have heard, every indication points to a higher figure. Damage occurred in 40 of California's 58 counties and overall loss was divided approximately equally between public property and private property holders. The greatest need is for restoration of storm-damaged highways, county roads and city streets. As to the total damage and the amount eligible for federal assistance under existing programs, we will hear from state highway officials and others. However, I understand only a portion of the total rehabilitation needs will be eligible under existing programs. Therefore, H.R. 6508 is needed as there is a substantial need to finance rehabilitation of local government facilities as these entities do not have the financial resources to do the necessary work.

I will not burden the Committee at this time with the needs under the several sections of the bill as they will be brought out by the respective witnesses. However, I do wish to assure the Committee that from information that has come to me and from my personal observation during the time of the hearings in California that I believe this bill is essential and necessary. My only concern is that we may not have provided a sufficient funding authorization for certain of the rehabilitation needs because we did not have complete damage estimates at the time the bill was drafted. This, coupled with anticipated damage which apparently will result from run-offs as the heavy snow melts, leads me to believe that we may well have too conservative a figure in the bill and we will have to increase some of the figures. Much of the need for making these increases and adjustments, I am sure, will be developed by our witnesses during the next two days.

Mr. Chairman, I would also like to stress the need for relief and assistance to our citizens who are involved with the Farmers Home Administration Emergency Loan Program and the Small Business Administration Loan Program. To many of these participants I feel we must make adjustments and provide relief in order that the original purposes and intent of the respective programs are continued.

Mr. Chairman, I appreciate the opportunity to participate and give my support to H.R. 6508 in order that we can provide assistance to the State of California and its citizenry following the disastrous storms experienced during December, 1968, and January and February, 1969.

Mr. JONES. Also a coauthor of the bill, it is a pleasure to have Mr. McFall, as our next witness. He had the great honor and privilege and distinction of serving on this committee.

STATEMENT OF HON. JOHN J. McFALL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MCFALL. The 7 years I spent on this committee were seven of my happy years in Congress, and I say some of the most productive 7 years of my life.

I wish to thank the committee for what they have done so far, for all of California, in this tragedy that has struck us, to use Mr. Schwengel's words, 100-year flood, which I think is in the making in California, as it is in Iowa, and along the Mississippi.

The subcommittee that went to California did a very fine job. Now, in your hearing on this legislation, you are hearing the rest of the story, and I believe the legislation which is proposed here will be very necessary to assist California in this great natural disaster.

I would like to submit for the record my statement which, in the main, details the damage which is in my district.

(Prepared statement of Mr. McFall follows:)

STATEMENT OF CONGRESSMAN JOHN J. MCFALL IN SUPPORT OF H.R. 6508 AND H.R. 6509

Mr. Chairman, I appreciate this opportunity to come before your subcommittee in support of this legislation of vital importance to the State of California in the tremendous task already underway of repairing damage and alleviating suffering resulting from a devastating period of inclement weather.

I wish to compliment the Public Works Committee and its leadership for the prompt action in sending a special investigating group to California in early February for on-the-spot studies of the problems which led to the Presidential disaster declaration. The field inspection developed much valuable information concerning the extent of the devastation and I was privileged to participate in hearings held at Sacramento and Madera.

Because of the uncertainties of the amount of supplemental Federal assistance necessary to perform required work and meet financial needs of the people when the bills were introduced, it was necessary to insert an estimate, based upon then current figures available from governmental sources. This amount was set at $70,000,000 but there was general recognition among sponsors that it might be necessary to adjust the figure, based upon later information. The testimony of many witnesses, including representatives of the State of California who are to appear before the subcommittee, now should make it possible to arrive at a reasonable authorization figure.

In my appearance today, I wish to present a brief summary of my own observations based upon personal inspections of flooded areas within my Congressional District and discussions with Federal, State and local officials knowledgeable of the problems and many citizens directly affected by flood conditions.

The State Disaster Office advises me that total public and private damage in Stanislaus, San Joaquin and that portion of Merced County included in the 15th District amounts thus far to $16,408,183. It is broken down as follows: Stanislaus County, public damage, $4,000,000; public damage (principally in agriculture), $10,000,000; San Joaquin County, public damage, $1,787,133; private damage, $590,000; Merced County, public damage, $11,050; private damage, $20,000.

I am glad to report that the Herculean undertaking of restoration already is well under way, led by the Army Corps of Engineers, the State Disaster Office working with the Federal Office of Emergency Preparedness, other agencies of the California State Government, the Department of Agriculture, the Small Business Administration, local government and public and private relief agencies.

The Engineers report that field inspections are being conducted continually and emergency repairs on flood protection works at 10 different locations in the San Joaquin River Basin have been recommended. Several have been approved by the Office of the Chief of Engineers, including repairs to Sherman Island in the Sacramento-San Joaquin Delta region where about 20,000 acres of valuable farm land were inundated when levees broke. This closure now has been completed.

In addition authority has been given to repair a break in the Corps-built levee on the San Joaquin River which flooded agricultural land near Patterson and several others on the Stanislaus River.

Estimated Federal cost of work authorized to date is approximately $1,000,000.

The Corps is also cooperating with the Office of Emergency Preparedness on work authorized under Public Law 875 of the 81st Congress as amended. This primarily involves channel clearing, debris removal, repairs to irrigation structures, sewage treatment plants, etc. At present, about a dozen requests from OEP totalling approximately $500,000 are being processed.

The Department of Agriculture, through disaster programs of the Agricultural Stabilization and Conservation Service and the Farmers Home Administration, is assisting farmers who suffered extensive losses in all three Counties.

The ASCS informs me that 80–100 farms in Stanislaus County suffered extensive damage from the steady downpours which created flood conditions in January and throughout the month of February. Nearly 20,000 acres of farmland in Stanislaus County were affected. In San Joaquin County 80 farms were affected, totaling 9,300 acres. Damage in the northeast portion of Merced County included 12 farms, totaling between 6,000 and 7,000 acres.

Numerous incidents of flooded homes in rural and suburban areas were reported. Assistance in the form of emergency loans from the Farmers Home Administration and guaranteed loans from the Small Business Administration has been forthcoming to alleviate these cases of personal loss.

Blessed by a recent period of relatively good weather, the threat of immediate future danger has diminished. But prospects loom forebodingly for additional extensive flooding because of extremely deep snow packs in the Sierras. Operators of private, State and Federal reservoirs have embarked on an extensive program of lowering impounded waters to make room for melting snow.

The San Joaquin River, into which most rivers flow, continues to carry about twice the normal amount of water for this time of the year. Friant, New Exchequer, Melones, Don Pedro, Farmington, New Hogan and Camanche Reservoirs now have been lowered to "safe" levels, unless an early hot spell melts the deep snow packs at an accelerated rate. Based on latest forecasts, April through July runoffs varying from 200% of normal in the north to 450% of normal in the southern part of the San Joaquin Valley can be expected.

Downstream levees, however, are saturated and in many places are not in good condition. Repairs to broken or damaged levees are difficult to make because of standing water that has not yet drained away.

In the Delta area, where the San Joaquin and Sacramento Rivers come together, conditions probably will be rather critical, particularly during high tides in June.

I have, of course, restricted my comments to conditions in my Congressional District and immediate adjacent areas. The damage suffered by the people in my District has been extensive, but it represents only a small portion of the havoc caused by storms in California this year. Others appearing before your subcommittee will present detailed information about conditions in other parts of the State, fully substantiating the need for authority to expand Federal funds over and above the amounts currently available for disaster purposes.

Before concluding, I want to call to your attention that an additional $10,000,000 in damages in my District have been prevented by Federal reservoirs and flood protection works completed recently. These include New Hogan Dam, New Exchequer, Camanche (a cooperative venture), the Mormon Slough flood control project, the Lower San Joaquin River levees and Bear Creek flood control project. All of these projects were authorized by the House Public Works Committee and present the strongest possible testimony to the wisdom of enlightened Federal action.

If two other reservoirs now being built under Federal authorization had been completed, it is estimated that $4,400,000 of the damage my District suffered since the rains began in early January would have been prevented.

Thank you for the considerate attention you have given to the needs of the people in my District and other parts of California. Hopefully, within a few years, our State will have all of the flood protection works it needs and we will not have to come before you to request emergency assistance of such magnitude again.

Mr. McFall. My district, as almost everyone who is here knows, the California Members know and I know you know, Mr. Chairman, because you have been there, lies astride of the confluence of the Sacramento and San Joaquin Rivers. There has been tremendous damage already. But when the spring runoff comes we anticipate there will be more damage. Other witnesses have told you that there is 200 percent of normal snow in the mountains and in certain areas, and 450 percent in other areas.

And if we should get a warm rain in April, there could be 3 feet of water all over my district.

In 1863, when the great flood struck that valley, history tells us that there was 3 feet of water all over the Great Central Valley of California. It may come again.

So far in my district the damage has been——

Mr. Schwengel. Would the gentleman yield?

I would like to know at this point how many people would be affected?

Mr. McFall. There are 500,000 people in my district, Mr. Schwengel. In Sacramento, which is north of me, which has Mr. Moss and Mr. Leggett's district, another 600,000 people would be affected. Mr. Sisk is south of me. His district runs around 100 miles, perhaps 550,000 or 600,000 people in it. Mr. Johnson has part of the district which lies on the valley floor—just the part of the district in the valley floor that might be affected by this could be about 100,000 people.

I do not anticipate that there will be 3 feet of water all over that valley; but if all the factors happen, such as a very, very warm tropical rain coming in April, it might happen.

There has been some $16 million damage in my district so far. And I wish to point out to you that although there was $16 million in damages, and there would have been an additional $10 million in damages if the reservoirs that had been constructed with Federal funds already, if they had not been there, there would have been an additional $10 million in damages.

We are constructing two additional reservoirs, and if they had been there, an additional $4.5 million in damages would have been prevented.

I know the figures have already been presented to the committee, but I think I can remember them accurately. There has been slightly over $900 million in Federal investment in flood control in California since we started; is that not right, Mr. Clausen? And so far, way more than that, $1.425 billion damage, has been prevented. My district shares the damage. It also shares the prevention by Federal projects.

We have a long way to go. We could have prevented all of this if we could have finished all the projects.

Mr. Schwengel. Are you saying these could have been prevented, this loss?

Mr. McFall. It could have been prevented, Mr. Schwengel, if all the projects which had been authorized had been finished.

Mr. Schwengel. Can you give me any idea, give me a round figure, on what the cost would have been?

Mr. McFall. I cannot give you a round figure on the cost. The prevention of $4 million in damage, just $4.5 million in damage this year, by the two projects that I am talking about; those two projects cost approximately $200 million.

So that if you had $4.5 million in damage every year, that could have been prevented by those two projects, very quickly you would get back the money you invested.

Mr. Schwengel. Mr. Chairman, I think in these disaster areas, with prospect of disaster, like yours and mine, where we have these periodic floods and we do not know for sure when they are going to come, that it would be a good investment if we can prevent it.

Iu my area we have a different problem than you have, but not totally unrelated. So I hope the committee will give due consideration to your interests and your problem; and maybe we can find ways and means to complete these projects in all these flood-prone areas.

Mr. McFall. Mr. Schwengel, this flood control is a real investment in our country. Not only does it prevent damage and suffering, but it permits our country to go forward—just the tax loss lone in my district is going to be considerable.

Mr. SCHWENGEL. Let me testify in favor of my point by reminding you that since I have been here, and you have cooperated, the Appropriations Committees have cooperated, to develop a flood control project in Muscatine, Iowa, built levees there, that already has saved almost 10 times the amount it cost. The cost-benefit ratio is far beyond what we estimated at the time, which was 2½ to 1.

Now, all lower Muscatine has not been affected, because we have the levees there now, and because of the emergency legislation we passed they could move in and raise the height, put another 3 feet on top of that, which can be temporary and later we can make it permanent.

But the cost is minimal compared to the cost of the damage that will take place. So it has been a tremendous investment. Not only has it protected the people that live there, that have this right of protection, but it has encouraged industry.

This is a natural place for development of industry, and one of your great California firms has a plant there——

Mr. MCFALL. I think of all of this every time I hear the words "pork barrel," Mr. Schwengel, which is one of the biggest propaganda swindles on the American people that I have ever heard.

Mr. SCHWENGEL. I am very much impressed with the testimony these people are bringing to us, and I assure this delegation that I will certainly do everything I can to help you.

Mr. CLAUSEN. Will the gentleman yield?

Mr. McFall, I want to express to you our appreciation for the manner in which you helped the committee coordinate the hearings in our own district. I think that was ample evidence to us as to what we required.

As a member of the Appropriations Committee yourself, I also see Mr. Talcott, a member of the Appropriations Committee, I am going to advance to you and all the other Members of Congress, particularly from California, some who are just now becoming conversant to flood control and water conservation, that they would join with us, those of us that have been visiting all the sections of the country, in a concerted effort to see that the executive and the legislative branches of Government elevate the entire question of appropriations for these very important items; because unless you have security you are not going to have economic development.

And this, in turn, will apply the necessary revenues that we have come up with. I think they are grossly underestimated.

Mr. MCFALL. Last year, when Mr. Kirwan introduced me, he said, the gentleman from California, and he said, "that I am always worried when he comes to sit down beside me on the House floor, because I think he is going to ask for more flood control money for California."

Mr. JONES. Mr. Anderson.

Mr. ANDERSON. I want to amplify the remarks of Congressman McFall on investment. We have heard, without question, testimony that verified the fact that for every dollar we had spent we had saved three. In addition, the point should be brought out that we are going to continue to save. The projects that are built will continue to save the taxpayers, the people of California and our country, money in the future.

As to how much will be saved in the future on authorized programs and for projects not authorized—I believe we can safely estimate from past experience that at least $3 will be saved for every dollar spent. I would say that one of the best dollars that we can spend is for flood control programs, and I am now not speaking just for this committee. I am addressing my remarks to the two of you that are on the Appropriations Committee.

Mr. McFall. Thank you very much, Mr. Chairman.

I would like to have my statement put in the record.

Mr. Jones. Our next witness is our delightful and pleasant hard-working colleague, Mr. Teague from California.

STATEMENT OF HON. CHARLES M. TEAGUE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Teague. I want to endorse everything that has been said here this morning, to thank the members of the subcommittee, full committee, for their obvious interest in our most serious problem.

My district is quite different in nature than Mr. McFall's inasmuch as it lies along the coast of southern California. But about half of it is very mountainous. There are many places in my area where you get from sea coast to 7,000 feet in altitude in the space of about 10 or 12 or 20 air-miles. So you can imagine the amount of water that comes down those mountains onto the coastal plain in these storms.

For instance, where I live, in a little town called Ojai, we had just about 70 inches of rain in just a little over a week. That is quite a lot of water. The damage has been estimated, in my congressional district, combined damage in Santa Barbara and Ventura Counties of probably at least $100 million. I would estimate that this would be divided somewhere evenly between the public and the private sectors.

I realize that we cannot cure all of the ills or damages suffered by private ownership, but just to give you one, I think, rather striking example: In addition to all of the bridges, highways, roads, sewer plants, harbors and marinas which were either destroyed or severely damaged, we lost very close to 1,500 acres of prime citrus land, including all the crops and all the trees, and the estimates just to restore this land back to where it was, the contractual bids are running from $1,000 to $4,000 an acre; just to restore the land back into a bare condition so it can again be planted.

I cite this as I think convincing evidence that the local taxpayers, while they must do the greatest amount of repair work themselves, cannot bear the entire cost of replacing bridges, sewer plants, harbors, and public facilities, which have been so severely damaged.

Again I thank you, Mr. Chairman, and it goes without saying that I fully support this legislation. I hope the committee will bring it out promptly, and in as generous terms as you find possible to do.

Mr. Jones. Any questions?

Mrs. Denney. Mr. Chairman.

Mr. Jones. Mr. Denney.

Mr. Denney. Mr. Teague, I want to compliment you on your statement. I happened to be fortunate enough to go out there and see that terrible tragedy that you have. There is one thing that I noticed in the hearings that has not been brought out among the witnesses here this morning, and I think it is something we must definitely consider.

Public Law 566, the small watershed law, is not being implemented. We are authorizing, and of course you know the situation we have with the Bureau of the Budget and so forth, and I have been pushing harder trying to stop that logjam. If we can stop some of the waters and let it down gradually and gently, it will help alleviate future flooding to some extent.

If we do not, all this silt washes down into these reservoirs, fills it up and goes out over the plains country; is that not true?

Mr. TEAGUE. That is right. As the ranking Republican on the subcommittee which has to do with this subject of the Committee on Agriculture, I am well aware of this problem. Poage, in addition to being chairman of the full committee, is also chairman of that subcommittee; he and I may have our differences on the matter of general farm legislation, but not on this subject.

We are working and shall continue to work very hard to break this logjam.

Mr. CLAUSEN. Would the gentleman yield?

Because this brings up a point that I have discussed with Mr. Teague. It is my understanding that the problem associated with the community of Carpinteria is that this can best be handled by Public Law 566 project, and it is further my understanding that it is your intent to bring this matter to the attention of your own agriculture subcommittee.

As you know, we discussed, between you and myself, the possibility of incorporating an authorization into this California Disaster Relief Act. That I have discussed this with people in the Soil Conservation Service, and indicated the urgency of your request, and I would hope that this committee will add support to your request before the committee, and you can count on me, if need be, to go over and testify to that effect, representing the committee; and I am sure the Chairman would have no objection.

Mr. TEAGUE. You have been very helpful, indeed. I deeply appreciate it.

I think there is very little doubt but what our Committee on Agriculture will authorize the pending Public Law 566 project, which affects the Carpinteria area. It was not ready to go until this year. No one can be blamed. I have not been personally blamed for the fact that it was not in being when these floods hit. Had it been, it would have very much reduced the amount of damage in the Carpinteria area.

Mr. SCHWENGEL. I, too, want to commend the gentleman for his statement and insight, for his testimony.

Just a few questions. Did I understand you to say that the total damage in your district is $100 million?

Mr. TEAGUE. That is what the estimates appear to indicate it will be.

Mr. SCHWENGEL. About half of it is in the private sector and about half in public?

Mr. TEAGUE. That is my best estimate.

I would not want to be held down exactly to that figure.

Mr. SCHWENGEL. With the exception of the help you get at this level, that cost is borne by all the people, though?

Mr. TEAGUE. Yes.

Mr. SCHWENGEL. What percent of these damaged areas are insured? Do you have any figures on that?

Mr. TEAGUE. I imagine very few. Actually, my district, the damage was not nearly as severe to homes as it was to farmlands, bridges, highways, marinas. There were at least 100 boats, I believe, destroyed in one of the marinas; and some of those undoubtedly were insured. But the big damage was to farmlands and to public facilities.

Mr. SCHWENGEL. I ask you the same question I asked Mr. McFall: Had there been completed flood control projects, would this have avoided the major portion of this damage?

Mr. TEAGUE. In my opinion it would. We have several projects, rather large ones, on streams and these conceivably cut down on the amount of damage that might have occurred. If we had had more dams or other types of flood control work, undoubtedly the damage would have been much less.

Mr. SCHWENGEL. Is your area susceptible to watersheds to hold the rain for a while and possibly put it through the ground?

Mr. TEAGUE. Oh, yes. We have several dams designed to do that, and doing exactly that. We have three dams, fairly large dams, and one of them has a capacity of 250,000 acre-feet. The other, 225; the other, I think 175,000 acre-feet. Which is a fair amount of water. And this water is released for irrigation and domestic services.

Mr. SCHWENGEL. I was talking about a watershed where you have a system of ponds and you have water diversion, contour farming, terracing.

Mr. TEAGUE. I would say my district is not particularly suited to that sort of thing, because these streams are in very mountainous areas.

Mr. SCHWENGEL. Would not be susceptible?

Mr. TEAGUE. No.

Mr. JONES. Thank you very much, Mr. Teague.

Mr. TEAGUE. Thank you, Mr. Chairman.

Before leaving, I also would like to express my personal thanks to Mr. Johnson, as well as to Mr. Clausen, specifically, and of course all the members of the committee.

Mr. JONES. Thank you, sir.

Mr. Talcott, we are pleased to have you. You are a member of the Appropriations Committee. After we pass this bill, which we hope to be doing, we will be visiting you, hat in hand. So you can commence to be a Boy Scout and make your preparation now.

It is a pleasure to have you.

STATEMENT OF HON. BURT L. TALCOTT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. TALCOTT. Thank you.

I have a statement I want to give now. I have a written statement, fairly lengthy, and I would like to paraphrase this.

First of all, I would like to say that I very much appreciate the opportunity to appear here in support of H.R. 6508. And on behalf of the citizens and officials of some of the counties that I represent, that are confronted with this flood situation, I am most grateful to you and your subcommittee that visited California.

Everyone told me how attentive and considerate your committee was to their tragedies. It is important, I think, for everyone to know that California has many varied situations. Each of us who have testified represent different districts, which are quite distinct, and many times the district or areas of a single congressional district are quite varied. This is the case in my district.

Knowing your time is limited, I will limit my testimony to several specifics.

The enormity of this rainfall should be fully appreciated. This has been a record rainfall, a record flood, a record disaster.

Many areas in California had not yet had time to develop an adequate flood control system when this disaster struck.

For instance, Monterey County officials appeared before your committee at Madera, Calif., in February. Their figures were hurriedly assembled and incomplete. You gave them 15 days to provide more details.

On the 14th day, most of Monterey County was inundated again with another record rainfall, which more than doubled the damages to its public facilities.

The February flood was much larger. The same people, in addition to others, were again inundated and again evacuated.

These February storms were greater in intensity and fell on already saturated watersheds.

I would like to mention briefly that Monterey County has had some experience with flood control and water conservation. And over a period of years, since 1956, they have constructed with local funds two dams which catch two-fifths of all the water from the Salinas River.

So we have tried, I think, from the limit of our capacity, financial and otherwise, to provide flood control for some of the sections in our area.

I would like also to say that the excellent cooperation of the U.S. Army Corps of Engineers was of inestimable value to all the counties involved in my district.

As an example of the severity of this February storm, this flood was the largest recorded flow in history. In other instances, the standard 10-inch rainfall gages that many of the farmers use throughout my district were overflowed in one night in January.

The preliminary estimate of damages in Monterey County for both floods is approximately $15 million. Rain fell last weekend, and rain is falling today, so the disaster continues to escalate.

Another peculiar element of this flood is that cleanup and repair has been greatly hindered by the continuousness, as well as the amount of rainfall. Many hours of work and many dollars of expense on repairs have been washed out, sometimes two and three times. This multiplies the damage and costs of this flood, with less progress to show.

The rainfall may soon be over, but in some places the flood levels and the disaster may worsen.

In Kings County, for instance, already more than 125 sections, 125 square miles of some of the best cotton land in the world are under water. There will be no crop there this year. There may be no crop for several years in the future.

Many hundreds of families are out of work, perhaps for the full year or more, perhaps for 2 years.

Kings County is projecting a quadruple welfare load; and I think few, if any, counties in the country can stand such an increased burden.

But the worst is yet to come. In the mountains above Kings County a record snowfall of 249 percent of normal will melt and again inundate the already saturated fields, orchards, and towns. An early warm rain could start another flood many times greater than the record flood already suffered.

It is difficult at present to estimate the area that will be flooded by the middle of this summer, but it is probably going to be somewhere in the order of 200 square miles.

A major percentage of the area flooded will remain under water for an additional year or two. In a previous flood, which was not as great, some of the ground remained under water for 6 years.

I hope your legislation will take this delayed, but just as devastating, dimension of the flood and disaster into consideration. Many hundreds of acres of orchards, fields, farm facilities, and business and residential property will be washed away—totally destroyed. This is not just one year's loss of crop and employment; this will wash out orchards, towns, and public facilities which have required 1 to 10 years to build or develop; and some of the orchards will take 5 to 10 years to reconstruct.

In one area of my district there should be 2,000 to 2,500 acres of lettuce being planted a week. I happen to represent a district that produces 30 percent of the Nation's head lettuce, celery, strawberries, 95 percent of the artichokes; but there is no activity at all yet.

We should be at our peak harvest of asparagus, but we have not cut a spear. It may be months before some of these losses can even be computed.

I hope that when you take into consideration the amount of the losses and property damage, that we should also include buildings, pumps, farm machinery and equipment, pipes, and fences. Erosion damage should include damages that apply to the ASCS criteria, and include debris, repair of levees, and ditches. Crop losses should include all crop waters from flood waters, including high-water-table losses and other damages to the actual crop.

And there are crop marketing losses.

In our highly perishable and fast-moving farming economy, this involves the delay of planting time, unfavorable planting conditions, and other costs are involved which would place our farmers in an unfavorable competitive market condition; and also present a hardship on available labor supplies.

These are all extra costs and damages which are sometimes overlooked in the farming community.

Mr. CLAUSEN. Would the gentleman yield at that point?

Mr. Talcott, I think this information you are presenting is not only excellent, but I think very timely, and I would like to suggest to you that you send the information contained, possibly by letter, to the National Water Resources Council that is now in the process of holding hearings relating to project evaluation, in order to determine the proper benefit-cost ratio formula for the future.

We feel that there are a number of factors that are not considered in evaluation of some of these projects. And I think that what we are looking to now is to have them make some recommendations that will consider the total benefits to be derived from permanent flood protective works; and I think this information will be very helpful to them.

I will ask you to send it to the National Water Resources Council.

Mr. TALCOTT. I appreciate your understanding on this, because sometimes we, who are general-less in the business, do not appreciate the special damages that some people do incur. And many of the criteria just have not included all the damages that have been suffered, and this makes it terribly devastating on people who are trying to recover losses.

Mr. CLAUSEN. When you mention welfare rolls have quadrupled, this is very significant and needs to be brought more to the attention of the people that are trying to evaluate the projects for the benefit-cost ratio.

Mr. TALCOTT. Again I appreciate what the gentleman is saying. So many times we see a flood and it is easy to show a dramatic scene on television, where a home or garage is floating or falling into a crevice. And this is horrible damage, and this is damage beyond price.

But there are just many other damages that we sometimes fail to see and fail to realize that these damages can affect human beings in many ways.

Just the loss of employment is an enormous damage from a flood. And these damages sometimes affect the people who can least afford unemployment.

Mr. CLAUSEN. As you now know, these prime increments in the benefit-cost ratio formula are flood control, water conservation, and recreation. And they do not give consideration to the total benefits as enunciated in your testimony.

Mr. TALCOTT. I flew over some of my area, and sometimes when you look from a plane down on the flooded land, and you see 100 acres or 100 sections of land under water, many boatowners think that that is a beautiful sight. But when they consider that many people have been wiped out, it is quite a different situation.

You gentlemen understand this. But I think it is very important to the general public to understand how devastating water can be. It is not just flood coverage, but erosion.

Some of these people that have orchards are just out, and they can never recover.

Mr. CLAUSEN. The effect on the tax base——

Mr. TALCOTT. I do not intend to take too much more time, but I do have some mention of that, which is terribly important in my district.

I have cited only a few representative examples of situations which may require special consideration for longer terms for filing damage claims.

The Federal rules and regulations are necessary, but we must also remember that agriculture, the backbone of our Nation, cannot wait 3 to 6 months for financing, to keep in production.

Even though the funds may be needed immediately, time is required to get a farm back into profitable production. Whereas, many businesses can resume operations at their previous levels of profit,

as soon as helves are restored or the parking lot repaired, the farmer may not be able to harvest a crop for a year or orchardless for 5 or 6 years. These factors must be considered in any loan and repayment plan.

I can supply the details.

These values do not include loss of income or business or potential loss in property valuation and tax revenues on the local, State, or Federal level. I am told by the county assessor that the reduction in fair market value may approach $20 million in the San Luis Obispo County.

Presently, if a small local agency, such as a water district or sewer district, loses essential facilities as a result of flooding or storm damage, they are frequently financially or technically unable to restore the facilities to protect public health and safety.

While the appropriate papers are being filed and assistance being sought, crucial health and safety hazards may go unattended. What is needed is a means by which these small special districts could get immediate disaster assistance when public health and safety are endangered.

Under Public Law 875, it is possible for local agencies to get advances, up to 75 percent of the authorized amount. San Luis Obispo County is still waiting for reimbursement of approved costs incurred for the 1966 disaster.

Sometimes I feel that maybe a higher percentage might be appropriate.

Our small locally governed agencies have, in most cases, been unable to meet the crisis.

Mr. Chairman, I truly appreciate the consideration that you have given me. I strongly implore you to take immediate affirmative action to report favorably H.R. 6508.

Thank you.

(Mr. Johnson assumed the chair.)

Mr. JOHNSON. I want to thank you, Mr. Talcott, for a very comprehensive résumé of the damage done to your entire area.

You started out on the coast and wound up in the Central Valley in Kings County, and there will probably be damage for some time to come. There is no real solution to what is taking place there in Kings County, and the coastal area.

I am sure much of the private sector will never recover all of their losses, naturally.

Any questions?

Mr. CLAUSEN. Excellent statement.

(Prepared statement of Mr. Talcott follows:)

STATEMENT OF HON. BURT L. TALCOTT, CALIFORNIA, 12TH CONGRESSIONAL DISTRICT

Mr. Chairman, I very much appreciate this opportunity to appear before this distinguished committee in support of H.R. 6508, of which I am a co-sponsor.

On behalf of the county officials and many citizens from 3 of the 4 counties in central California which I have the honor to represent, I thank you and your subcommittee for coming to California in February to see the devastation of the record floods first hand. Every person who appeared to testify, or to audit the hearings, told me how attentive and considerate you were of their tragedies. Your subcommittee made a splendid impression. I am particularly grateful.

You know well the dimension of the disaster which we in California have sustained. I need not reiterate. Knowing your time is limited and many are waiting to testify, I will limit my testimony to several specifics which may not be mentioned otherwise.

The enormity of this rainfall should be fully appreciated. This has been a record rainfall, a record flood, a record disaster.

Many of California's farm lands, business developments and residential subdivisions are relatively new. We do not have the benefit years of experience and development of drainage and flood control facilities. A heavy rain is not nearly as disastrous in an old, well developed area where shrubs, drainage channels and river systems have, over many years of experience and development, been carefully designed and constructed against every reasonably forseeable flood condition.

Many areas in California had not yet had time to develop an adequate flood control system when this disaster struck.

This tragedy may expedite development of flood control projects, but the present devastation is enormous. Monterey County officials appeared before your committee at Medera, California in February. Their figures were hurriedly assembled for the hearing; later they were found to be incomplete. You were kind enough to keep your committee record open for 15 days to permit Monterey County to provide more details of its flood damage, which was so extensive that a full report could not be assembled in time for your hearings in California. On the 14th day, most of Monterey County was inundated again with another record rainfall which more than doubled the damages to its public facilities.

The January flood inundated approximately 55 homes and approximately 300 people had to be evacuated due to the flooding. The February flood was much larger and these very same people, in addition to others, were again inundated and again evacuated.

The storms of February in the Salinas River basin followed basically the same pattern as that of the January flood. Due to the fact that these February storms were greater in intensity and fell on an already saturated watershed, the peak flows experienced were much higher than anything ever experienced in the Salinas Valley, even though the Nacimiento and San Antonio dams cut off any contribution to the peak flow.

In December, 1956, the Monterey County Flood Control & Water Conservation District completed the Nacimiento Dam, and the San Antonio Dam in 1965 located on tributaries of the Salinas River. The location of these dams are shown on the attached map. These dams were constructed entirely with local funds by the taxpayers of the Salinas Valley at a total cost of almost $20,000,000. A capacity of 200,000 acre feet has been allocated for flood control out of a total capacity of both dams of 700,000 acre feet. Pertinent facts on these two dams are attached hereto.

Also, the District has expended $153,100. of its own funds within the last 10 years on channel clearance on the Salinas River.

Our preliminary calculations show that the flood flows would have been nearly double that which was experienced if the San Antonio and Nacimiento Dams had not been constructed. If this had come about, the heavily populated areas of the City of Salinas and other communities in the Valley would have been inundated.

A more detailed description of the hydrology of the storm is attached hereto.

The excellent cooperation of the U.S. Army Corps of Engineers, San Francisco District, was of inestimable value of the County.

We support the Corps of Engineers justification for funds to implement the authorized projects on the Salinas River Basin, the Carmel River and the Pajaro River Basin. Projects of this type have proven time and time again that the benefits far exceed the cost to the taxpayer.

As an example of the severity of this February storm, this flood had a peak flow on the Salinas River at the U.S. Geological Survey gauge near Salinas of 82,600 cubic feet per second. This is the largest recorded flow in the history at the gauge. The second highest recorded flow was the flood of 1938, which was 75,000 cubic feet per second. This was prior to the construction of Nacimiento and San Antonia dams which catches two-fifths of the flow.

The preliminary estimate of damages in Monterey County for both floods is approximately $15,000,000. Rain fell last weekend, so the disaster continues to escalate.

Another peculiar element of this flood is that cleanup and repair has been greatly hindered by the continuousness as well as the amount of rainfall. Many hours of work and many dollars of expense on repairs have been washed out—sometimes 2 and 3 times. This multiplies the damage and costs of this flood—with less progress to show.

The rainfall may soon be over—but in some places the flood levels and the disaster may worsen. In Kings County, for instance, already more than 125 sections, 125 square miles (80,000 acres) of some of the best cotton land in the world are under water. There will be no crop there this year. Perhaps this is a risk that some farmers must take—farmers are one of the greatest risk taking groups in the country. But in this situation many hundreds of families are out of work—perhaps for the full year or more. This is direct human disaster even though no lives were lost.

Kings County is projecting a quadruple welfare load—few, if any, counties in the country can stand such an increased burden.

But the worst is yet to come. In the mountains above Kings County a record snow fall (249% of normal already, with more to fall) will melt and again inundate the already saturated fields, orchards, and towns. An early warm rain could start another flood many times greater than the record flood already suffered.

Tulare Lake Basin is fed by four main rivers in addition to many wet-weather creeks, tributary to those rivers. These creeks only produce flows in the Tulare Lake during very heavy rainfall years. The forecasted run-off from the four main rivers (Kings, Kaweah, Tule and Kern) are projected above the 1906 record year and in the case of the Kern River, far above any previously recorded run-off.

The flooded area is growing daily and it has been estimated that Tulare Lake will probably contain 1½ million acre feet by late June or early July of this year, when river flows are expected to recede to the point where irrigation demands and reservoir capacities utilize the full flows.

It is difficult at present to estimate the area that will be flooded by the middle of this summer but it is probably going to be somewhere in the order of 200 square miles. This is a major disaster to the farmers of the Tulare Lake Basin and will seriously affect the economy of Kings County and, especially the Corcoran area. The continued existence of many of the heretofore successful farming operations in this area are seriously jeopardized. It is also possible that the City of Corcoran will be threatened with partial inundation due to run-off into the Tulare Lake area.

In addition to the flooding of this large area of prime lands, as I have indicated above, the after effects will also be most severe, as a major percentage of the area flooded, and to be flooded this year, will remain under water for an additional year or two because of the fact that there is no way to drain off these flood waters. The evaporation from the water surface and a small amount of irrigation use on land around the margin of the flooded area will be substantially the only way of consuming the water and putting the land back into a productive condition.

Not only will water costs in the form of water district assessments on some of the streams continue during the period of flooding, but the area is also in the position of having to make very substantial minimum payments to the State of California for State aqueduct water supplies covered by contract. None of these water entitlements can be utilized under existing conditions.

I do not have a solution for this flooding problem. The four flood control dams (Pine Flat, Terminus, Success and Isabella) have helped to some extent, but when this type of year comes along there is no way to avoid such a flood. The last one of this magnitude occurring in this area was approximately 30 years ago, and lasted for a period of eight to nine years. The total combination of circumstances has never happened in previous history in Kings County.

I hope your legislation will take this delayed, but just as devastating, dimension of the flood and disaster into consideration. If 150 to 200 square miles are totally flooded, several towns which have never had water stand in their streets can be washed away. If this occurs, many hundreds of acres of orchards, fields, farm facilities, and business and residential property will be washed away—totally destroyed. This is not just one year's loss of crop and employment. This will wash out orchards, towns and public facilities which have required 1 to 10 years to build or develop.

My district usually produces 30% of the head lettuce, celery and strawberries produced in this country.

Most of the district's lettuce, summer celery, carrots and cauliflower is planted in the first 3 months of the year. Anything planted now has little chance of producing a crop. In one area of my district there should be 2000 to 2500 acres of lettuce being planted a week. There is no activity. There can be no planting for 3 to 4 weeks (depending upon the type of soil) after the rain stops.

We should be in our peak harvest of asparagus, but we haven't cut a spear. Some losses cannot be determined. I saw pictures of 100 acres of prime asparagus under 2 to 8 feet of water with a current equal to that in the main river channel. It may be months before some of the losses can be computed.

I cite only a few representative examples of situations which may require special consideration for longer terms for filing damage claims.

I highly commend the U.S. Army Corps of Engineers for their quick effective response to the flood damage. This was an unusually difficult disaster to cope with. Continuing record floods caused record damage over a wide area to a wide scope of property. Yet the Corps responded promptly and effectively.

As soon as the original restoration is accomplished, long term reconstruction should be put out to bid. In this way I believe the job could be accomplished just as quickly and more economically. The basic law ought to be designed to accomplish the repair as quickly but also as economically as possible.

If H.R. 6508 can be passed and funded, I believe the federal funds can be more promptly and economically disbursed to disaster victims than has been accomplished in prior programs.

Many citizens have been misled by OEP, SBA, and FHA into thinking large sums of low-interest, long-term loans would be available. They were disappointed, frustrated and angry to find there were no funds or that they had to take a pauper's oath to qualify for very restricted funds after mountains of red tape. It esems that the "red tape" involved in even getting an application with necessary attached papers to the proper authorities, much less an approval, is just about impossible.

The need for this emergency relief money is immediate; for instance, take a mountain livestock rancher. Due to the absolute need for fences, passable roads and stock trails, and also due to damaged or destroyed water facilities, ranchers cannot wait or postpone repair work. This, unfortunately, takes considerable money that has not been budgeted, or in nearly all cases, the ranchers do not have it to add on top of their regular operating costs.

Mr. Lowell Panell, of the Morgan Hill office of the F.H.A., was very cooperative in trying to explain all the existing rules, regulations, and prerequisites in his very large folder, but was unable to even guess if an applicant rancher could even qualify for this financial aid. He said that our regular local financing agencies (banks-Federal Land Bank-Production Credit Association) would have to refuse a loan before the F.H.A. could even consider the rancher as qualifying .

The Federal rules and regulations are fine and necessary to a certain extent for the protection of the taxpayers (which includes the ranchers), but we must also remember that agriculture is one of the "backbones" of our nation and cannot wait 3 to 6 months for financing (that is too high to repay under these disastrous conditions) to keep in production.

These emergency funds are needed immediately and the regulations covering them are making them unobtainable to those who honestly and rightfully should be able to make use of them.

Even though funds may be needed immediately, time is required to get a farm back into profitable production. Whereas many businesses can resume operations at their previous levels of profit as soon as shelves are restored or the parking lot repaired, the farmer may not be able to harvest a crop for a year or orchardist for 5 or 6 years. These factors must be considered in any loan and repayment plan.

In San Luis Obispo County the damage will exceed $15 million. (I will include a schedule showing the public damage, the utility damage, and the private damage.) These values do not include loss of income or business or potential loss in property valuation and tax revenues on the local, state or federal level. I am told by the County Assessor that the reduction in fair market value may approach $20 million in the San Luis Obispo County.

Our county officials have been dealing with several of the federal agencies administering disaster programs and have found them meeting a real and pressing need. Generally speaking, the programs are administered by knowledgeable, efficient and sympathetic personnel. Our real problems are not with these people, but with the basic limitations in the funding of the programs and certain limitations on the scope of work permitted in eiher the statutes or the regulations. A few of these problems are as follows:

Presently, if a small local agency, such as a water district or sewer district, loses essential facilities as a result of flooding or storm damage, they are frequently financially or technically unable to restore the facilities to protect public health and safety. Their only recourse is to seek outside advice or assistance. If other local agencies are unable to provide such assistance, there are provisions under P.L. 875 for the agency to request direct federal assistance. This, however, takes considerable time. While the appropriate papers are being filed and assistance being sought, crucial health and safety hazards may go unattended What is needed is a means by which these small special districts could get immediate disaster assistance when public health and safety are endangered. The Corps of Engineers or other appropriate federal agency needs to have the ability to move into such situations, under appropriate limitations, without the necessity of OEP final approval. Ordinarily the type of damage involved is not appropriately handled under P.L. 99.

Under P.L. 875, it is possible for local agencies to get advances, upon approval by OEP of the application, up to 75 per cent of the authorized amount. San Luis Obispo County is still waiting for reimbursement of approved costs incurred for the 1966 disaster. Because of the administrative delays in processing claims for reimbursement under this law, I feel the amount of the advance permitted should be increased to at least 90 per cent A small local agency which has exhausted its legal borrowing capacity simply has no place to go except the P.L. 875 route. Where the work cannot be done directly by an appropriate federal agency, the local agency needs more assistance in working through its financing problem.

In general, the laws are all designed in such a way as to require local agencies and individuals to go as far as possible on their own. This is as it should be. Beyond that point the need is real. Our small locally governed agencies have, in most cases, been unable to meet the crisis. It has amounted to almost a complete breakdown in local government, because of lack of funds, expertise, personnel, and in some cases, initiative. They have tried to do what they could on the County level to help themselves and will continue to do so. Any help we can render to be sure that all of the federal disaster programs are adequately funded and authorized will be greatly appreciated.

Mr. Chairman, I sincerely appreciate this opportunity to appraise you of the widespread havoc that the recent storm dealt to my Congressional district, and I strongly implore you to take immediate, affirmative action on this matter.

Thank you.

Mr. JOHNSON. We have a statement from the Honorable Chet Holifield of California, the dean of the California delegation, and he asks permission to file his statement for the record. Is there objection? Hearing none, it is so ordered.

(Statement of Mr. Holifield follows:)

STATEMENT OF HON. CHET HOLIFIELD, OF CALIFORNIA, REGARDING H.R. 6508

Mr. Chairman, I want to add my remarks in support of H.R. 6508—the "California Disaster Relief Act" of 1969. This bill has been co-sponsored by almost every Member of the California Congressional Delegation, and it is supported in principle by all of our Delegation Members.

As you know, our State of California was greatly damaged by heavy snows in the north, and floods in the south, for nearly four months without respite. The effects of this heavy dose of water are already quite critically apparent in the south, where there have been mud slides, roads washed away, and homes and families separated and uprooted. In the north, more damage will occur when the snow—which is over 40 feet deep in some areas—melts this spring.

We hear reports of additional damage each day. More than 100 people have lost their lives. When spring finally arrives and massive cleanup operations can begin, additional agricultural damage will be of great concern, because the soil

has been so completely saturated with water. What this means to our farmers is that this flooded condition of the soil will make growing very difficult—and life, economically, will therefore be very hard for them.

My remarks are made not only as the Chairman of the California Congressional Delegation, but as a Californian who is deeply concerned by these recent disasters in our State, and who is anxious to do whatever possible to ease the plight of our citizens.

The purpose of H.R. 6508 is to provide assistance to California for the reconstruction of areas damaged by the storms, floods, landslides and high waters.

I believe that each of the Sections in this Act is worthy of your favorable consideration. However, I particularly want to comment on Section 5. This Section relates to the Small Business Administration Disaster Act, and bears directly on how assistance can best be given by the SBA to private citizens, and businesses. This is extremely vital, in my opinion.

As I understand the Small Business Disaster regulations, a man in a situation such as is thrust upon him by these recent disasters, can apply to the SBA for help in getting back on his feet again with a loan. The SBA is, under its Direct Disaster Loan Program, authorized to lend money for this purpose at the rate of 3%.

However, in 1968, the Bureau of the Budget imposed restrictions on the SBA after the Alaskan Earthquakes and Hurricane Betsy's attack on Texas. The effect of these restrictions, which were based on a small amount of abuse, was to make it much more difficult for a citizen to obtain SBA assistance in a disaster situation.

For example, before a man can "qualify" for the 3% assistance, he must first use all of the resources available to him, or be able to borrow from other sources on reasonable terms. If he has a bank account, or a stock account, he must use those first before the SBA can consider him. If he is eligible to borrow from a bank, he must do that first before applying to the SBA for help. After all these requirements have been met, he is eligible for a Direct Disaster Assistance Loan at the rate of 3% for up to $20,000 to replace his home.

Mr. Chairman, in my opinion, this is the cruelest regulation I have encountered in quite some time. What kind of "assistance" requires a man to destitute himself before he can qualify for a disaster loan? I have heard the expression which deals with "kicking a man when he is down," but I have never seen such a clear example of it as this.

As a result of these Budget Bureau restrictions, few private citizens or businesses are applying for help under the SBA direct loan provision. They simply cannot afford to. As a result, it is becoming impossible to reach them at a time when they most need aid.

In addition, if a man has a $40,000 house—and such a price for a house is not unrealistic today—the best he can hope for under the 3% provision, is $20,000 to help repair it. This does not seem very equitable to me.

In 40 counties in California, there has been an estimated $100 million in damage. Of this, approximately 55% is agricultural; 20% is residential and commercial; and 25% is utility damage. This 20% residential and commercial damage figure represents about $20 million.

At this point, the SBA has offered about $270,000 in loans for authorized residential and commercial damage. In relation to the $20 million damage figure, this is quite incredible. People realize that the program is not doing the job it was intended to do, and they are not applying for help.

Businesses do not fare much better under these regulations, because they are limited to $100,000 each for disaster loans. I know of one case where the SBA investigated and found a business with $1,200,000 in damages. Under present law, however, only $100,000 could be offered for a loan. There is clearly quite a gap between what is needed and what is being offered.

I also understand that at this time the SBA has over $130 million in its Disaster Relief Revolving Fund—an amount which would be quite adequate to provide direct 3% loans to eligible applicants. Of this $130 million, the SBA could spend up to $50 million on immediate assistance, and could exceed that amount if the House and Senate Appropriations Committees were advised of SBA's intent to spend over $50 million.

As an example of the ineffectiveness of the program under the present Budget Bureau restrictions, permit me to cite some figures:

In the Los Angeles area, as of March 14, 1969, the SBA shows that 300 applications for home loans were received, totalling $1,859,361. (2,557 applications were distributed, I might add.) Of these 300 applications submitted, 122 were

approved, for a total of $611,730. Commercial businesses submitted 48 applications in the Los Angeles area for $1,390,716. Ten of those 48 applications were approved by SBA, for a $40,450 amount.

On a Statewide basis, as of March 14, 1969, 379 applications for home loans were received by SBA for a total of $2,241,618. Forty-five were approved for an amount of $685,480. Eighty businesses applied for help totalling $1,910,640. SBA approved a total of $90,250 for 19 of these.

It is particularly interesting to note the percentages of people who receive applications after interviews as opposed to those who actually ever submit them, and those who are finally approved by the Small Business Administration.

For the Los Angeles area :

Applications distributed	2,557
Applications submitted	300
Applications approved	122
Percentage applications submitted after interview	11.7
Percentage applications approved	40.6

In the State of California, the figures are :

Applications distributed	3,159
Applications submitted	379
Applications approved	145
Percentage submitted after interview	12.0
Percentage approved by SBA	38.2

It seems to me, Mr. Chairman, that when the SBA's own figures show that only 12% of those who received applications ever submitted them for consideration in the State of California, something is drastically in need of change. This program, designed to help small businesses and private residents, is—as a result of the Budget regulations—woefully inadequate, and this must be rectified—not only for the sake of Californians, but for the sake of Americans across the Nation who might possibly find themselves in the same circumstances one day, and unable to obtain assistance.

When the Congress set up the Small Business Administration, the aim was, of course, to aid small businesses. The whole economic principle of our country is built upon private enterprise. The Bureau of the Budget seems to feel differently about this, however. Nineteen businesses out of 80 will receive help in our State. That is 23.7%—*less than a quarter of those who applied!* The others will have to fend for themselves somehow.

We sincerely hope that H.R. 6508 will correct this injustice to private citizens and businesses. There is not much hope that this can be accomplished administratively by the Bureau of the Budget. H.R. 6508 would enable the SBA Disaster Program to do what it is supposed to be doing now—to extend direct loans to persons suffering loss or damage without regard to "whether or not financial assistance is available through private sources." We who have co-sponsored this bill would hope that the language in this phrase could even be changed to "private or personal sources," thereby broadening the scope considerably. Individuals would not have to suffer if they had personal resources—nor would they be required to be almost destitute before being eligible for help.

It has also been suggested that the second section of the Small Business Act be modified to say that the SBA can make direct loans to "the extent of the loss suffered" as a result of the storms. In effect, this would eliminate the $100,000 restriction for businessmen, and the $20,000 one for homes which was imposed administratively by the Bureau of the Budget.

There is also a "forgiveness clause" of $2500 in this bill which would be of particular help to homeowners. What this would mean is that if a man borrowed money and paid back at least half of the loan, $2500 would be "forgiven" by the government. This language was included in the Act passed after Hurricane Betsy attacked Texas; however, then it applied to private schools only. H.R. 6508 would widen this to include all individuals, businesses and concerns eligible for disaster relief.

It is my understanding that the SBA Fund at this time would be more than adequate to meet these needs, with the exception of funds which might have to be authorized to cover the Forgiveness Provision.

The question of interest rates is not one with which I plan to deal at any great length, except to say that if the Committee and the Congress plan to subsidize the disaster losses through interest rates, it might be well to discuss this thoroughly, either in the legislation or in the report.

In conclusion, Mr. Chairman, I would mention that more is at stake here than the considerable assistance which is needed by Californians at this time. What we are dealing with is the best possible way to help people when disaster strikes. We know that such things—however heartbreaking—know no divisions of Congressional District or State—and they can happen at any time. We know also that it is the duty of the Congress to act to help Americans in these circumstances, for on the legislative level, it is we who are charged with their welfare, and we who are able to provide the assistance they need.

Mr. Chairman, I urge your favorable consideration of this bill—not only for the welfare of Californians, but for all Americans as well.

Thank you.

Mr. JOHNSON. Next, Representative Corman from the 22d District of California.

STATEMENT OF HON. JAMES C. CORMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CORMAN. Mr. Chairman, thank you for the opportunity to speak with the committee on behalf of H.R. 6509, the California Disaster Relief Act of 1969, which I cosponsored together with 28 other California Members. The vast destruction caused by this winter's storms and floods in many areas of California has created such great havoc that enactment of this legislation is of urgent and immediate necessity.

Briefly, the bill would provide additional authorizations for repair and restoration of roads, streets, and highways. Small Business Administration loans would be available to individuals, businessmen, and others suffering losses due to the calamity. The legislation takes into consideration emergency loans under the Farmers Home Administration, and facilitates timber harvests in the mountain areas hit by heavy snows.

The total damage, caused by the drenching rains, floods, snows, mud slides, and other related problems, is estimated at $425 million. During the month of January, 88 persons were known to have lost their lives. I do not have later figures, but every indication is that the death list has grown.

I was gratified, Mr. Chairman, when you authorized members of the Subcommittee on Rivers and Harbors and the Subcommittee on Flood Control to visit the storm-stricken areas of California when these members were inspecting the oil-damaged shores of Santa Barbara. Only from on-the-scene scrutiny of the damage could rehabilitation needs be accurately assessed and a determination made as to how the Federal Government could best assist California in meeting the crisis.

The people of my district are gratified that damage to the San Fernando Valley is not as great as that suffered in other parts of California. Because of enabling Federal legislation, which had its origin in this committee, and the farsighted planning by the Army Corps of Engineers in cooperation with local officials, greater harm was spared the valley. In one instance alone—because of the Los Angeles drainage project, begun by the Army Corps of Engineers in 1938 as a result of the floods during March of that year, which reeked havoc in the Los Angeles area—an estimated $900 million damage was prevented. Without protective facilities such as this, the valley's vast residential areas could have been entirely destroyed

during these past few months and untold personal suffering would have ensued.

As you know, the storms and floods in southern California continued through February and into early March. Officials fear that the latest rainstorms with the accompanying runoff of water from the mountains, could cause more serious problems than in the earlier months. I would like to quote a few excerpts from a news story in the Los Angeles Times of February 27:

> A bridge about 10 miles south of Shoshone was washed away by 16-foot-deep water. . . . A landing strip under construction at Tecopa was flooded. . . . Some 3,000 persons were evacuated from their homes in Upland and the surrounding areas . . . An eight-foot-high wall of mud rolled through Wildwood Canyon in the Yucaipa area during the afternoon with damages to the hastily evacuated homes possibly running into millions of dollars . . . in Ventura County an official warned that if the Santa Clara River rises any more it could force the evacuation of 20,000 persons in Oxnard, one third of the city's 60,000 population. . . . Five persons were killed when tons of mud and storm debris crashed down on a fire house filled with 60 storm refugees in Orange County's Silberado Canyon. . . . Two men refused evacuation from the isolated canyon saying they wished to remain there to care for horses and other animals.

Reports of tragedy and heroism occurring in the mountains during the latest storms continue to come to us.

Toward the end of February, I checked with the Los Angeles Office of Emergency Preparedness to see what assistance was being provided the section of Los Angeles that was experiencing its share of the devastation. At that time, the OEP had 18 requests for repairs and restoration, amounting to a total cost of over $8½ million, with nine additional requests being processed.

This terrible disaster, which has brought untold misery and has inflicted such great damage, demonstrates the inadequacy of man's protection against the forces of nature. Many studies are presently being made in and out of government in the areas of soil erosion, flood control, landslides, and so forth. This research may some day help to prevent natural disasters such as California has experienced. Weather control can be anticipated. The Government's activities in oceanography and outer space may aid this effort.

I fully support such research, but the development of viable programs in this direction is for the future. Today, we must give our attention to the legislation before us, so that needed assistance may be given to California to help repair the destruction from this year's deluge.

Mr. JOHNSON. I believe that is all of the congressional witnesses who are here.

Now we are ready to move on to the witnesses from the State of California.

Our first witness for the State will be Mr. Charles P. Samson, the director of the California Disaster Office.

Mr. CLAUSEN. Mr. Chairman, as the witness is coming forth, I think the record should show that Mr. Pettis was here earlier and had to go to a meeting. I would ask unanimous consent, if this be his desire—unless he wants to testify tomorrow—that his statement be placed in the record at this point.

Mr. JOHNSON. I believe he will be with us tomorrow morning.

Mr. CLAUSEN. All right.

STATEMENT OF CHARLES P. SAMSON, DIRECTOR, CALIFORNIA DISASTER OFFICE

Mr. SAMSON. Good morning, Mr. Chairman, members of the committee.

I am Charles P. Samson, director of the California Disaster Office.

I would like to say it is a real pleasure to be here, to be offered the opportunity to testify here.

I would like again to express the appreciation of the Governor and our people in California for the interest which you have taken in our State and our problems.

I have submitted information to the reporter, and I would request permission to have it included in the record, if I may.

Mr. JOHNSON. It will be included in the record, without objection.

Hearing none, so ordered.

(Information referred to follows:)

MARCH 18, 1969.

CALIFORNIA DISASTER OFFICE, DAMAGE DATA

OVERALL PUBLIC-PRIVATE DAMAGE ESTIMATES

The following general estimates reflect an upward revision in public damage from an earlier submitted estimate of 110 million to 165 million, 200 thousand dollars. This is caused by a 23% increase in the category of streets, roads, and bridges. This in turn has caused an adjustment in percentages across the board, but without significant dollar changes in other categories.

Current dollar estimates of public damage in 40 counties declared by the Governor to be a major disaster area (37 of these counties have been declared major disaster areas by Presidential proclamation with one additional expected to follow) are now approximately 165 million, 200 thousand dollars. 27% of this estimated total is in the category of dikes, levees and drainage facilities; 48% is in the category of streets, roads and bridges (17% on Federal assistance system—31% non-Federal assistance system); 14% is in the category of general debris clearance; 4% is in the category of protective health and sanitation measures; 4% is in the category of public utilities, primarily sewers; 3% in the category of public buildings and related equipment.

The total private damage in these counties is estimated as approximately 100 million dollars. 55% of this estimate is in the agricultural category; 20% is in the residential and commercial category; and 25% is in the utilities area—railroads, electrical, water, etc.

Factual data on loss of lives is difficult to assess as it is noted that various county coroner reports normally used as a factual basis for such figures have included an unusually high percentage of traffic deaths which technically may not be attributable to storm damage as such. On this basis, figures provided by the Red Cross are considered more realistic insofar as deaths attributable to actual storm conditions. Their figures to date show 33 dead, and a total of 117 injured to the point where hospitalization and/or treatment required.

Additional Red Cross data considered pertinent shows a total of 2,679 applications for assistance to individual families received by that agency, with an estimated ¾ to one million dollars to be committed in providing necessary assistance from this source.

With respect to the question on snow accumulations and possible effects of quick thaw, record or near record snows have already been measured throughout all mountain areas. If normal snow occurs during the remainder of March, it is certain that most existing snowfall records will be exceeded. This heavy snow accumulation, combined with soggy valley floors due to heavy sustained rainfall at lower elevations, creates potential problems in the event of rapid snow melt. The San Joaquin Valley is considered particularly critical in this regard.

On March 10, 1969, members of the National Government, State government, local jurisdictions and private enterprise met in Sacramento for the purpose of assessing the situation and organizing to cope with this threat. During the

period of heavy run off, the Corps of Engineers, Bureau of Reclamation, State water resources, and local district personnel will provide continuous surveillance, patrolling and repair of the reservoir and levee system. Flood control releases have been instigated and are continuing in order to gain reservoir space for regulating the expected heavy run off from snow melt as the winter ends. Depending on the weather and related conditions, resources will be mobilized in appropriate places to cope with any breaks or other damage which may occur as a result of conditions beyond the capability of local forces. This situation is considered under control at the present time, and it is believed that the provisions being made for future actions are sound and appropriate.

It should be noted that the damage figures provided both in the public and private areas are estimates only and subject to further revision. Damage assessments are still in process at county and city level. It is expected that an additional 3 or 4 months will be necessary before fairly accurate figures can be compiled. Indications are that these estimates will increase.

KEY RESERVOIRS

SAN JOAQUIN VALLEY BASIN

Reservoir	River	Responsible agency	Storage status, Mar. 17, 1969 (acre-feet)			
			Capacity	Stored	Available space	Forecast April–July inflow
Isabella	Kern	Corps of Engineers	570,000	224,600	345,400	1,850,000
Success	Tule	do	85,400	55,500	29,900	200,000
Terminus	Kaweah	do	150,000	81,000	69,000	700,000
Pine Flat	Kings	do	1,000,000	741,700	259,300	2,900,000
Friant	San Joaquin	U.S. Bureau of Reclamation	(520,500)	(270,500)	(250,000)	
Upper San Joaquin	do	Private utility [1]	(617,300)	(118,200)	(499,100)	
Total, San Joaquin			1,137,800	388,700	749,100	3,050,000
New Exchequer	Merced	Merced Irrigation District	1,026,000	659,500	366,500	1,300,000
Cherry Valley, Hetch Hetchy, Don Pedro	Tuolumne	City/county of San Francisco, Turlock/Modes to Irrigation District.	917,000	325,900	591,100	2,500,000
Donnell's Beardsley, Melones, Tulloch	Stanislaus	Oakdale/San Joaquin Irrigation District	342,900	118,500	224,400	1,440,000
New Hogan	Calaveras	Corps of Engineers	674,400	356,800	317,600	930,000
Salt Springs	Mokelumne	P. G. & E				
Pardee	do	East Bay MUD				
Camanche	do	do	431,500	254,700	176,800	

SACRAMENTO VALLEY BASIN

Shasta	Sacramento	U.S. Bureau of Reclamation	4,500,000	3,323,000	1,177,000	2,600,000
Whiskeytown	Clear Creek	do	241,000	200,000	41,000	Unknown
Black Butte	Stony Creek	Corps of Engineers	160,000	24,000	136,000	Unknown
Oroville	Feather	State of California	3,538,000	2,776,000	762,000	4,100,000
Thermalito	do	Department of Water Resources	57,500	17,000	40,500	[2]
Folsom	American	U.S. Bureau of Reclamation	1,000,000	480,000	520,000	2,550,000

[1] Southern California Edison and Pacific Gas & Electric reservoirs.

[2] Afterbay to Oroville.

Tulare Lake Basin

A. GENERAL

1. On the western slope of the Sierras, from the Feather River to and including the Kern, snow covers 14,500 square miles, with depths up to 200 inches. This area is almost 10% of the total area of the state.

2. Rate of runoff from the snow pack will depend primarily upon temperatures in the snow pack area during the critical period. April through July.

3. The San Joaquin Valley and the Tulare Lake Basins offer a higher risk of flood of flood due to snowmelt runoff than any other area of the state. The latter presents the bigger problem, since drainage terminous is landlocked.

4, The Tulare Lake Basin is affected by the watershed of the Kern, Tule, Kaweah, and Kings Rivers.

5. The only controlled disposal of water to the ocean from the Tulare Basin is from the Kings River through the Fresno Slough to the Mendota Pool, thence into the San Joaquin River.

6. The consumption of irrigation water during the runoff period, April through July, will greatly influence the amount of Tulare Lake storage spaced used.

7. Buena Vista Lake, fed by the Kern River, covers 23,000 acres and has a relatively small capacity of 230,000 acre feet. Surplus water from this lake must either be diverted north to Tulare Lake or flood agricultural land.

B. KERN RIVER

It is estimated that the snowshed of the Kern River will produce 451% of the normal snowmelt runoff during the period April through July 1969. For this period, a runoff of 1,900,000 acre feet is anticipated.

Control of this runoff depends upon the capacities of Isabella Reservoir, irrigation usage, ground water replenishment, and dumping the excess into Buena Vista and Tulare Lakes.

The present available space in Isabella Reservoir is 354,400 acre feet, and 230,000 acre feet at Buena Vista Lake, for a total of 575,400 acre feet.

Water usage plans for irrigation and ground water replenishment for the four-month period is estimated to be 600,000 acre feet.

Plans for the same period include dumping 180,000 acre feet per month into the Buena Vista-Tulare system (720,000 acre feet for the four-month period). Since Buena Vista capacity is 230,000 acre feet, spillage into Tulare or elsewhere will have to be negotiated with land users. It is contemplated that there will be flood damage to agricultural land, with the various local groups trying to agree on where and how to keep the damage to a minimum.

SUMMARY OF RUNOFF—APRIL-JULY ESTIMATES

[In acre-feet]

	Available	Disposal	Surplus
Total from snowshed	1,900,000		
Isabella Reservoir		345,000	
Buena Vista Lake [1]		230,000	
Irrigation and ground water		600,000	
Tulare Lake [1]		370,000	
Net (Tulare Lake)			355,000

[1] Subject to negotiation.

Mr. Harold Russell, Buena Vista Water Storage District, and Mr. Charles Williams, Kern County Land Company, provided information regarding plans for control of runoff.

TULARE LAKE

The two largest sources of water which may contribute to Tulare Lake are the Buena Vista Lake-Kern River system and the Kings River. The Tule and Kaweah Rivers watersheds provide lesser, although significant, amounts. It is estimated that the Kings River snowshed will produce 2.9 million acre feet during the four-month period, of which about 1.1 million will flow north through

Fresno Slough into the San Joaquin River, and 1.3 million will be used for irrigation.

Tulare Lake now contains about 434,000 acre feet within controlled cells, covering 60,000 acres. As additional water is accepted in the lake, agricultural land available for cultivation is reduced.

Current combined space available in Success, Pine Flat, Terminus, and private reservoirs is about 600,000 acre feet and increasing.

SUMMARY OF RUNOFF—APRIL-JULY ESTIMATES

[In acre-feet]

	Available	Disposal
Kings River snowshed	2,900,000	
Pine Flat and private reservoirs		501,000
Mendota Pool via Fresno Slough		1,130,000
Irrigation		1,300,000
Tule River snowshed	200,000	
Success Reservoir		30,000
Irrigation and ground water		150,000
Kaweah River snowshed	700,000	
Terminus Reservoir		69,000
Irrigation and ground water		580,000
Buena Vista Lake-Kern River (disposal and surplus)	725,000	
Tulare Lake		765,000
Total	4,525,000	4,525,000

Tulare Lake can handle the 765,000 acre feet necessary to take care of the excess runoff. It should be noted that most of this water is contributed from the Kern River watershed. If this high estimate of 451% snowpack is in error to the low side, the need to send water to Tulare Lake will be reduced.

All agree that this is the biggest source of worry to agricultural interests.

Information was furnished by Mr. Robert Leake, Kings River Water Association; Mr. John Rachord, J. G. Boswell Company, Corcoran; and Robert Miller, State Department of Water Resources.

Federal Assistance Funds

A. Corps of Engineers, under Public Law 99: Allocated, $5.5 million.

Five and one-half million dollars has been allocated to cover flood fighting, emergency rehabilitation of essential facilities, investigations and reporting.

B. U.S. Department of Agriculture: Allocated, $3.0 million.

1. 17 counties declared.

2. 2,500 farms determined eligible for Agricultural Stabilization and Conservation cost-sharing programs providing 80/20 Federal/Individual cost sharing up to $2,500 federal share.

This amount can be increased with proper justification.

C. Farmers Home Administration: Unknown.

Very few applications received—it is much too early. Many are expected.

D. Small Business Administration:

1. Under the flood: Eligible, $784,430.

(*a*) Inquiries and interviews, 4,277.

(*b*) Applications accepted for processing, 458.

(*c*) Applications declared eligible, 165.

(*d*) Total dollars of declared eligible, $784,430.

2. No applications received for damage from heavy snow.

State Flood Emergency Funds

1. Flood Emergency Fund is administered by the Department of Water Resources for flood fighting.

(*a*) Expenditures, January-February 1969	$562,000
(*b*) Projected additional cost through June 1969	100,000
(*c*) Total cost estimated, fiscal year 1968–69	662,000

2. State Emergency Flood Relief Law is administered by the Department of Finance to assist local agencies defray costs of repairing and restoring storm-damaged essential public property.

AB 76, if passed, will provide funds for these costs. (see Tab 10)

Storm Damage Division of Forestry, Department of Conservation

Claims for assistance under Public Law 875 forwarded by Division of Forestry, Department of Conservation, March 13, 1969, reflect the following damages from the recent storms:

Total Damage—$432,659.00. Of this amount, $232,200 is being financed by the Department and the remaining $200,459 is being submitted as a claim for assistance under Public Law 875.

A discussion with Forestry officials indicates that this is a conservative estimate due to inaccessibility of many of the areas involved. As the snow melt progresses, damage figures will undoubtedly rise considerably.

Estimated Agricultural Damage, State of California

Statistical methods used by both the U.S. Department of Agriculture and the California Agricultural Department do not readily lend themselves to an accurate estimate of overall agricultural damage under storm conditions just experienced.

For example, the State Department of Agriculture focuses primary attention on crop loss rather than specific damage to individual farms or county geographical areas. Conversely, the U.S. Department of Agriculture does not particularly concern itself with crop loss but focuses attention on possible amount of funds needed to restore farmlands to productive use. An accurate estimate of current or projected loss to the entire agricultural efforts statewide is extremely difficult.

These factors notwithstanding, additional contacts have been made with both agencies, and a rough estimate of total damage in the neighborhood of $44,990,000 has now been obtained.

Attachment "A" reflects the agricultural report made by the State Department of Agriculture to the House Public Works Committee appearing in Sacramento February 11, 1969. This report has been updated to reflect new estimates.

In addition, Attachment "B" contains county-by-county farm damage involving funds requested from the Federal Government to restore certain farmlands to productive use. This shows new figures with respect to number of farms damaged, estimated acre damage, and amounts of federal funds being requested.

These two reports have been correlated to obtain the estimated figure of total damage as given.

Agricultural Report to House Public Works Committee

Submitted by: S. T. Ancell, Representing the California Department of Agriculture

1. *Anticipated agricultural loss*

January, 1969, rain storms and resultant flooding will cause an anticipated agricultural loss of $44,990,000. (See Exhibit A attached.)

The loss due to flood and storm damage, continued rain, hail, snow and uncontrolled runoff has resulted in damage to crops and farmlands in a large portion of the State.

2. *Type of damage*

(a) Complete destruction of some orchards, nursery stocks, winter vegetables, grain, other field crops, and as yet an undetermined loss in livestock.

(b) Complete loss of many thousand acres of newly planted crops.

(c) Erosion, silt and other debris deposits that will require land restoration work.

(d) Interruption of normal planting dates and damage to planting stock used in orchard, vegetable and berry production, will result in abnormal gaps and peaks in this season's marketing.

(e) Serious loss due to excessive defects developing in winter vegetables, navel oranges, lemons, nursery stock and flowers.

3. *Extreme damage areas* (See Map attached.)

Most serious damage was experienced in certain localized areas of the State.

(a) Sherman Island in Sacramento County, due to levee break.

(b) In areas along the Stanislaus and the San Joaquin Rivers, mostly in Stanislaus County, due to levee breaks and rivers running out of their banks.

(c) Monterey County, along the Salinas River, due to the river spreading over farmland.

(d) Santa Barbara, San Luis Obispo and Ventura Counties, with the Lompoc district in Santa Barbara County suffering the greatest damage from excessive runoff and flooding.

4. *The individual and the flood*

There are some individual cases where growers suffered severe damage, even total crop loss and perhaps permanent damage to soil by erosion and silting. Some of these situations can be found in locations previously mentioned and other isolated instances in the State.

5. *Irrigation and flood control projects*

Serious damage in the more northern portions of the State has not been extensive. Water control projects completed in the north have aided in a better control of runoff. There are some problems along the Sacramento River bottomlands where orchard and croplands may be damaged due to continuous high river levels.

Flood damage in the San Joaquin Valley may not have been as severe if the Don Pedro and Melones Dams had been in service. The development of other projects on rivers flowing into the San Joaquin Valley, if feasible, should be considered.

6. *Outlook*

A complete and detailed evaluation of losses experienced by California agriculture cannot be determined at this time. Some affected areas are still under water. New losses are coming to our attention daily as water recedes and more complete evaluations are possible. Warm spring rains on the record snowpack in the mountains could result in more serious flooding.

EXHIBIT A

Type of damage

(a) Complete Destruction:

Crop	Acres	Amount
Orchards, citrus	700	$3,500,000
Deciduous orchards and vineyards	500	1,500,000
Vegetables	500	500,000
Alfalfa	2,000	400,000
Irrigated pastures	10,000	500,000

(b) Loss of Newly Planted Crops: Most acres need to be releveled and replanted. In some cases it will be too late to plant for this season's production.

Crop	Acres	Dollars
Small grains	100,000	2,000,000
Sugar beets	5,000	250,000
Lettuce and canteloupes	2,000	200,000

(c) Erosion, Silt and Other Debris Deposits: It is estimated that 225,634 acres are damaged and restoration work estimated at $12,000,000. It is difficult to determine how much work will be necessary in land restoration programs. As flood waters recede this estimate can change.

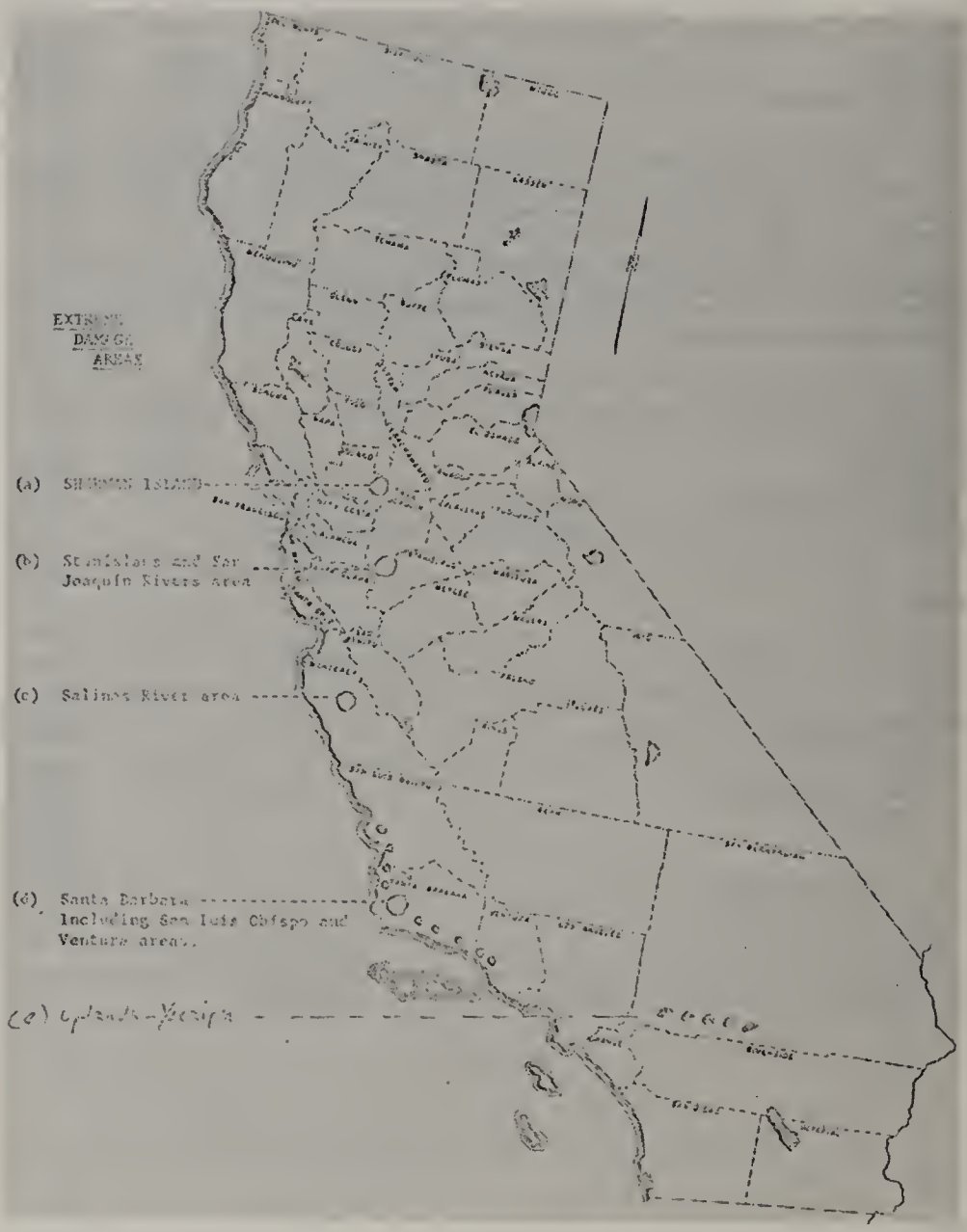
(d) Interruption of Normal Planting Dates: The eventual economic loss, by not being able to plant crops as normally scheduled, is difficult to evaluate. In many cases interruption will prevent double-cropping which is a common practice in some of our agriculture.

Crop	Acres	Dollars
Estimated Loss:		
Small grains	70,000	1,400,000
Sugar beets	2,000	100,000
Lettuce and other vegetables	5,000	500,000

(e) Serious Loss Due to Excessive Defects Developing Present Crops Being Harvested:

Crop	Acres	Dollars
Vegetables:		
Including cabbage, broccoli, and cauliflower		100,000
Citrus:		
Navel oranges		7,000,000
Valencia oranges		7,000,000
Lemons		2,500,000
Other citrus		200,000
Subtotal		16,700,000
Total, plus 20 percent		20,040,000

Miscellaneous Items: There is some loss of livestock which is as yet undetermined. Damage to farm structures, reservoirs, wells, fencing, etc. could be considerable. For reporting purposes: Estimate, $2,000,000.

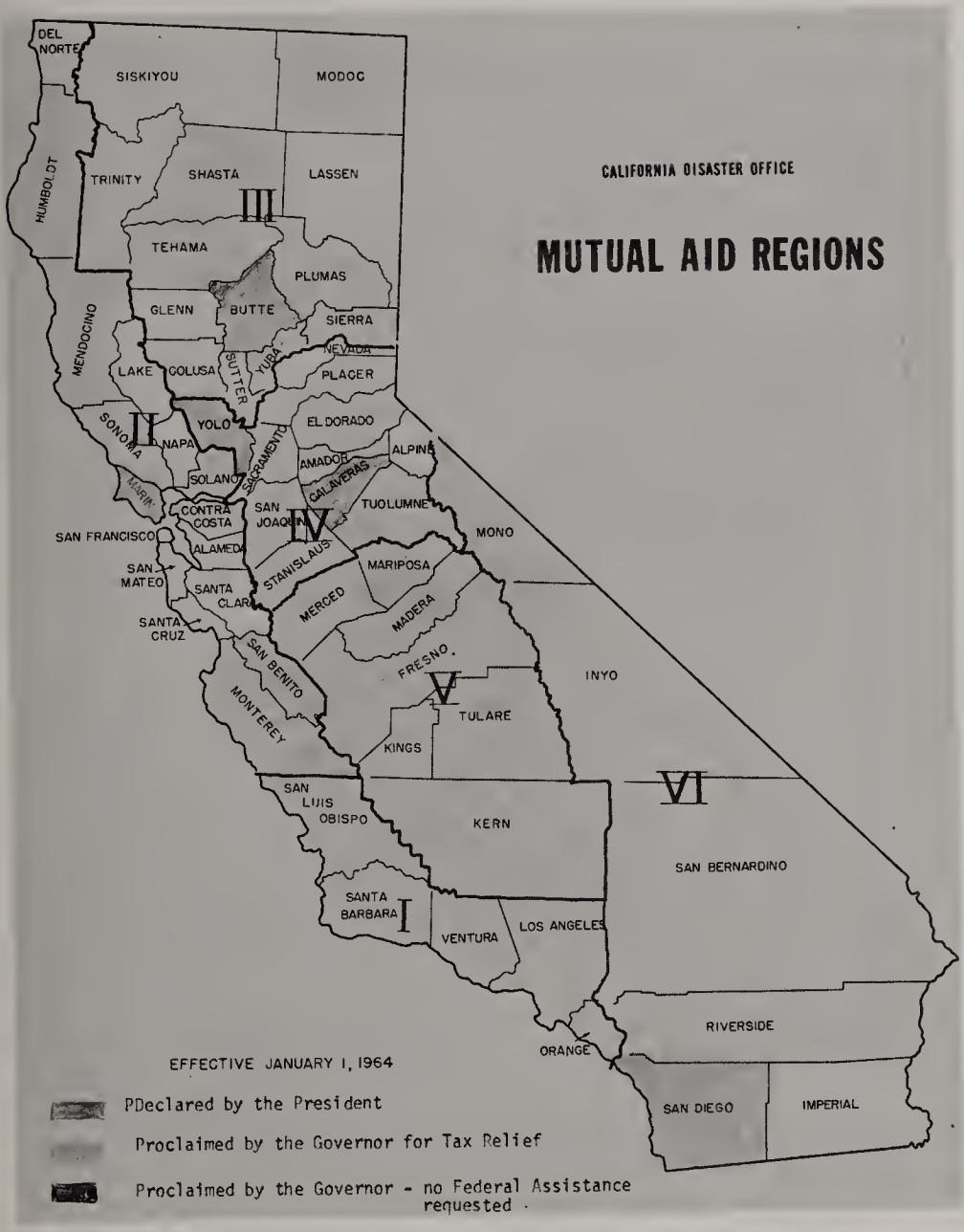

EXTREME
DAMAGE
AREAS
(a) SHERMAN ISLAND
(b) Stanislaus and San Joaquin Rivers area
(c) Salinas River area
(d) Santa Barbara Including San Luis Obispo and Ventura areas.
(e) Upland-Yucaipa

County	Estimated number of farms damaged	Estimated acres damaged	ACP funds requested
Ventura	300	10,000	$1,095,904
Santa Barbara	195	7,500	773,000
Tulare	100	4,000	413,920
Fresno	180	16,300	253,552
Riverside	25	2,000	96,000
Los Angeles	60	2,500	257,843
San Luis Obispo	350	12,000	327,200
San Bernardino	300	2,000	200,000
Kern	50	3,500	143,000
Merced	125	70,000	45,000
Monterey	150	10,000	300,000
Stanislaus	90	20,000	399,000
Madera	289	15,000	100,208
Sacramento	28	10,534	314,111
Kings	50	6,000	108,269
Mariposa	50	25,000	37,523
San Joaquin	80	9,300	129,919
Total	2,422	225,634	4,994,449

Note: This list represents the 17 counties that have been approved by the Secretary of Agriculture for cost share assistance under the agricultural conservation program (ACP). Initially, California received $2,000,000 for ACP assistance. Today, they received an additional $1,000,000 for these 17 counties. For clarification, the amount of funds requested by counties are based on the county disaster committee's best estimate of the amount of funds needed to restore farmlands to productive use.

REQUEST RECEIVED TO DATE AS OF MAR. 15, 1969, BY PROJECT APPLICATION FOR SUPPLEMENTAL FEDERAL FINANCIAL ASSISTANCE UNDER PUBLIC LAW 81–875

Counties	(Category A) Debris clearance	(Category B) Protective, health and sanitation measures	(Category C) Streets, roads and bridges	(Category D) Dikes, levees, and drainage facilities	(Category E) Public buildings and related equipment	(Category F) Public utilities	Total
Amador	$1,500.00	$750.00	$3,800.00	$14,882.50	0	$5,000.00	$25,932.50
Contra Costa	12,000.00	0	8,000.00	251,992.00	0	0	271,992.90
El Dorado	0	0	0	0	0	542.03	542.03
Fresno	45,013.33	164,268.95	467,441.37	334,937.11	0	13,629.09	1,025,289.85
Humboldt	0	0	2,682.00	10,300.00	0	137,537.00	150,519.00
Inyo	5,314.00	397.00	13,002.00	90.00	0	0	18,803.00
Kings	5,801.00	19,095.86	11,018.40	90,125.73	$374.00	318.25	126,733.24
Los Angeles	7,754,708.39	542,334.64	6,632,643.66	3,170,654.92	133,509.68	557,357.70	18,791,208.99
Mariposa	2,000.00	690.00	19,346.00	0	0	0	22,036.00
Mendocino	5,600.00	0	32,000.00	0	0	0	37,600.00
Merced	750.00	2,911.68	2,900.00	25,485.41	108,575.00	0	140,622.09
Modoc	3,500.00	16,500.00	52,910.00	0	2,000.00	0	74,910.00
Mono	41,625.05	3,050.00	0	0	0	0	44,675.05
Monterey	20,465.34	15,720.78	137,094.31	32,896.21	0	0	206,176.64
Orange	37,567.39	303,881.73	157,555.08	4,219,027.40	726.00	161,309.38	4,880,066.98
Placer	9,186.64	11,309.95	297,381.11	0	0	5,813.33	323,691.03
Riverside	149.475.99	128,040.92	506,868.50	526,949.00	8,447.95	969,008.75	2,288,791.11
Sacramento	13,260.00	51,145.14	0	679,174.73	9,000.00	0	752,579.87
San Benito	16,725.00	18,089.00	134,190.00	3,520.00	0	2,500.00	175,024.00
San Bernardino	988,568.30	291,008.17	1,424,791.70	2,606,735.00	9,525.00	352,573.58	5,673,201.75
San Joaquin	6,950.00	30,454.07	46,784.82	1,202,945.12	0	0	1,287,134.01
San Luis Obispo	8,800.00	13,060.00	55,590.00	0	0	0	77,450.00
Santa Barbara	100,793.72	145,175.02	635,341.74	170,300.00	42,069.50	156,871.77	1,250,551.75
Shasta	0	0	27,000.00	9,000.00	0	0	36,000.00
Salano	450.00	634.50	17,800.00	271,096.77	0	79,850.00	369,831.27
Stanislaus	4,069.99	6,621.98	251,070.00	35,250.00	754.73	0	297,766.70
Tehama	0	0	10,275.00	3,226,860.00	0	0	3,237,135.00
Tulare	6,260.80	19,009.16	17,003.15	286,222.20	17,714.00	0	346,209.31
Ventura	1,172,438.58	314,900.29	1,539,454.60	2,684,540.28	14,656.91	689,370.03	6,415,360.69
Yuba	13,600.00	2,024.00	103,000.00	27,500.00	0	18,793.00	164,917.00
Total, counties, cities, and districts	10,426,423.52	2,101,072.84	12,606,943.44	19,880,485.28	347,352.77	3,150,473.91	48,512,751.76
Total, State agencies	500.00	46,069.15	145,654.00	541,463.00	154,920.00	0	888,606.15
Grand total	10,426,923.52	2,147,141.99	12,752,597.44	20,421,948.28	502,272.77	3,150,473.91	49,401,357.91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SACRAMENTO
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RIVERSIDE
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IMPERIAL
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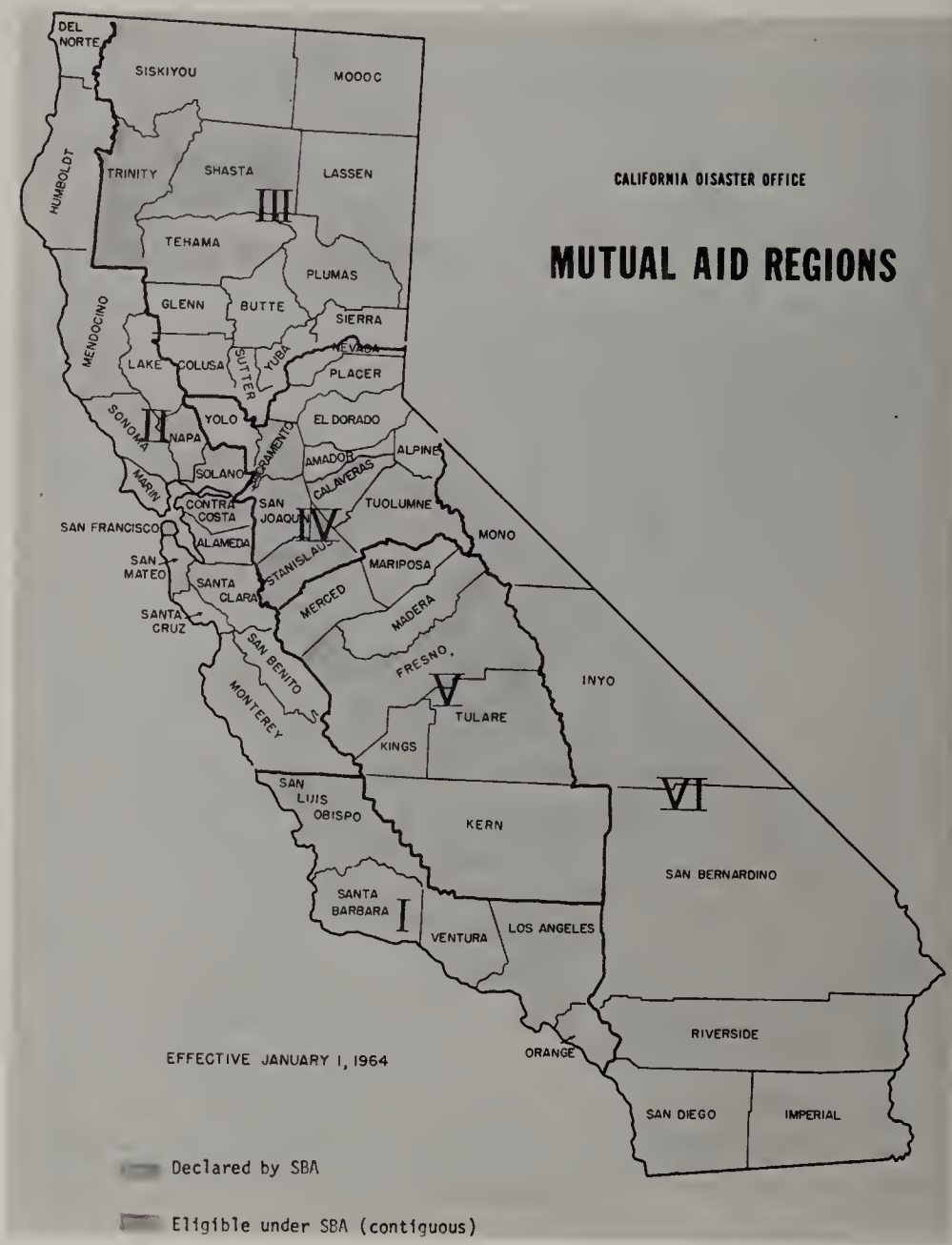
Proclaimed by the Governor for Tax Relief
Proclaimed by the Governor - no Federal Assistance requested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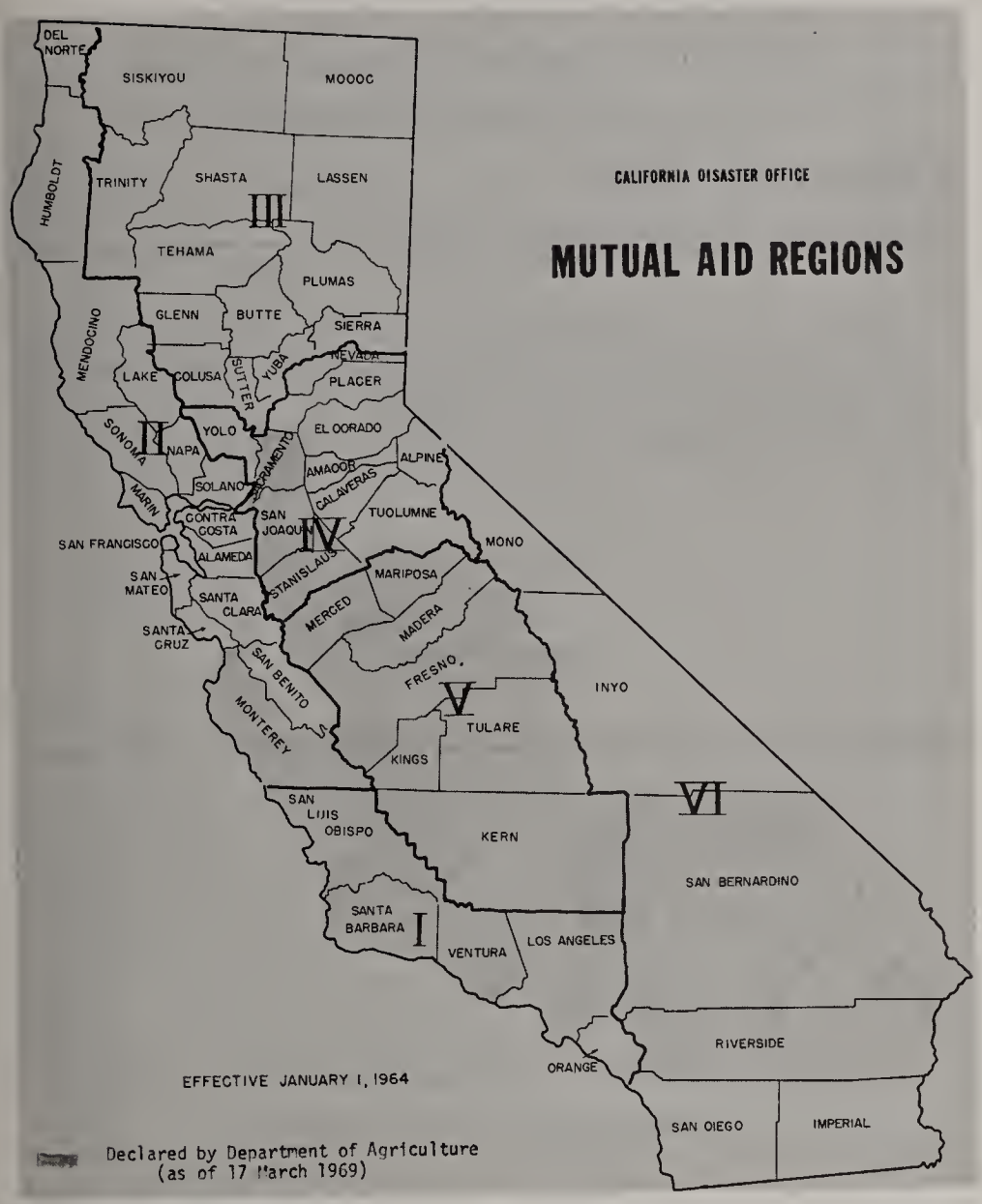
Eligible under SBA (contiguous)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Declared by Department of Agriculture
(as of 17 March 1969)

AMENDED IN SENATE MARCH 12, 1969

AMENDED IN SENATE FEBRUARY 25, 1969

AMENDED IN SENATE JANUARY 27, 1969

AMENDED IN ASSEMBLY JANUARY 22, 1969

CALIFORNIA LEGISLATURE—1969 REGULAR SESSION

ASSEMBLY BILL No. 76

Introduced by Assemblymen Davis, Chappie, Townsend, Belotti, Stacey, Ketchum, Ray E. Johnson, MacGillivray, MacDonald, McGee, Monagan, Duffy, Zenovich, and Lewis

(Coauthors: Senators Collier, Marler, Lagomarsino, Burns, Short, Way, Stiern, Cologne, Dills, Dolwig, Cusanovich, Grunsky, and Danielson)

January 13, 1969

HELD AT DESK

An act to amend Sections 7351, 7351.5, 7351.6, 7653, and 8651 of, and to amend and renumber Section 8651.5, as added by Chapter 27 of the Statutes of 1965, of, the Revenue and Taxation Code, to amend Section 51157 of, and to add Section 51157.1 to, the Government Code, and to amend Section 186.95 of the Streets and Highways Code, relating to the repair, restoration, or replacement of public property damaged or destroyed by storm and flood or flood conditions, providing funds and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 76, as amended, Davis (H.A.D.). Emergency flood relief.

New act and amends, amends and renumbers, and adds various secs., R. & T.C., Gov.C., S. & H.C.

Appropriates *$25,000,000, in addition to the* unexpended balance of Item 446.7, Budget Act of 1958, as amended, to Department of Finance for purpose of financial aid to local agencies pursuant to Emergency Flood Relief Law for repair or restoration of public real property, other than streets, roads, and bridges, damaged or destroyed by storms and floods, including tidal wave floods, between November 1, 1968, and June 30, 1969, if application therefor is made by October 1, 1969.

Specifies that such funds allocated to local agencies may be expended, if the local agency so elects, for repair, restoration or replacement of a

AB 76

The people of the State of California do enact as follows:

SECTION 1. The *sum of twenty-five million dollars ($25,000,000), or so much thereof as may be necessary, from the General Fund, in addition to the* unexpended balance of the appropriation made by Item 446.7, Budget Act of 1958, as amended by Section 12, Budget Act of 1960, Section 11.4, Budget Act of 1967, and Section 10, Budget Act of 1968, is appropriated to the Department of Finance for expenditure for the purposes of the Emergency Flood Relief Law (Article 6 (commencing with Section 54150), Chapter 5, Part 1, Division 2, Title 5, Government Code) for damage or destruction to public real property, other than the repair, restoration, or replacement of streets, roads, and bridges, by storm and flood or flood conditions, including damage or destruction by flood conditions arising from tidal waves, which occurred between November 1, 1968 and June 30, 1969, and the local agency applies to the Department of Finance for an allocation of funds on or before October 1, 1969. *The Legislature recognizes that federal legislation may be enacted appropriating additional funds for allocation to local agencies for the repair of local public facilities damaged or destroyed by storm and flood or flood conditions, in which case the expenditure of some portion of the money appropriated by this section may not be necessary.*

The money appropriated by this section shall remain available for expenditure ~~until June 30, 1970~~ *pursuant to the*

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public building to present day standards if the building's square footage is not increased thereby.

Provides that whenever the Department of Finance determines that a local agency to which such funds are proposed to be allocated is financially unable to meet certain matching requirements due to exhaustion of its financial resources because of disaster expenditures, the Department of Finance may allocate funds to pay all or such portion of the costs of repair, restoration, or replacement as is determined to be necessary to accomplish the project.

Makes certain money in the Street and Highway Disaster Fund available for allocation by the State Allocation Board, under the Emergency Flood Relief Law, for repair or restoration of local streets, roads, or bridges damaged or destroyed by storm and flood or flood conditions, including tidal wave flood conditions, occurring between November 1, 1968, and June 30, 1969.

Revises formula used to determine allocations which may be made under the Emergency Flood Relief Law.

Requires specified agreement executed by a local agency to contain a provision under which the local agency agrees to hold and save the state free from damages due to the work under the Emergency Flood Relief Law for which funds are allocated.

Provides that whenever the Department of Finance determines that a local agency to which such Street and Highway Disaster Fund money is proposed to be allocated is financially unable to meet certain match-

Emergency Flood Relief Law without regard to fiscal years.

SEC. 2. The funds made available by Section 1 of this act may also be expended for the purposes described in Section 54155 of the Government Code.

SEC. 3. Allocations of funds under Section 1 of this act may be expended, if the local agency so elects, for the repair, restoration, or replacement of a public building to present-day standards; provided, that the square footage of such building is not increased thereby.

SEC. 4. Notwithstanding the provisions of Section 54157 of the Government Code, whenever the Department of Finance determines that a local agency to which funds available pursuant to Section 1 of this act are proposed to be allocated is financially unable to meet the matching requirements set forth in Section 54157 of the Government Code due to exhaustion of its financial resources because of disaster expenditures, the provisions of Section 54157 of the Government Code shall not apply, and the Department of Finance may allocate funds available pursuant to Section 1 of this act to pay all of the cost of repairing, restoring, or replacing public buildings of such local agency or such portion of such cost as the depart-

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ing requirements due to exhaustion of its financial resources because of disaster expenditures, the State Allocation Board may allocate funds to pay such portion of the costs of repair or restoration as the department determines is necessary to accomplish the work, subject to certain limitations.

Requires Department of Finance to make available, in such installments and at such times as determined to be necessary by the department, $2,692,250 of the cash balance of certain money in the Street and Highway Disaster Fund, plus additional amounts thereof determined to be not immediately needed for state highway disaster repair or restoration, for allocation by the State Allocation Board for the repair or restoration of local streets, roads or bridges damaged or destroyed by any disaster, when Legislature authorizes allocations for such repair or restoration. Specifies that such amounts are not required to be repaid.

Increases motor vehicle fuel and use fuel taxes one cent per gallon for ~~three~~ *6* months or until the Governor proclaims that such tax increase is no longer needed, and makes this increased revenue available: *80%* for allocation for the repair ~~or~~, restoration, *or replacement* of any local street, road, or bridge which has been damaged or destroyed by storm and flood or flood conditions occurring between November 1, 1968, and June 30, 1969; *and 20% for the repair, restoration, or replacement of state highways damaged or destroyed by such storm and flood or flood conditions.*

Provides that any local agency to which the state has advanced money for specified purposes prior to the effective date of the act need not repay any of the amount so advanced which is outstanding and has, on the effective date of the act, not been repaid.

To take effect immediately, urgency statute.

Vote—$\frac{2}{3}$; Appropriation—Yes; Sen. Fin.—Yes; W. & M.—Yes.

ment determines is necessary to accomplish the project, taking into consideration the financial ability of the local agency to meet the matching requirements of Section 54157 of the Government Code, less any money provided by the United States or any agency thereof for any portion of the cost of the project; provided, that the total amount of state funds allocated for any one project pursuant to this section shall not exceed the sum of two hundred thousand dollars ($200,000).

SEC. 5. The money in the Street and Highway Disaster Fund under subdivision (b) of Section 186.95 of the Streets and Highways Code shall be available for expenditure for allocation by the State Allocation Board for the purposes of the Emergency Flood Relief Law, including the purposes provided for in Section 54160 of the Government Code, for the repair, restoration, or replacement of any local street, road, or bridge damaged or destroyed by storm and flood or flood conditions, including damage or destruction by flood conditions arising from tidal waves, occurring between November 1, 1968 and June 30, 1969; provided, that the local agency has applied to the State Allocation Board for an allocation of funds on or before October 1, 1969.

SEC. 6. Whenever the Department of Finance determines that a local agency which would otherwise be eligible for an allocation under the formula of Section 54157 of the Government Code is unable to finance the work due to exhaustion of its financial resources because of disaster expenditures, the State Allocation Board may allocate funds available pursuant to Section 5 of this act to pay such portion of the cost of repairing, restoring, or replacing the streets, roads and bridges of such local agency as the department has determined is necessary to accomplish such work; provided, that if the local agency is a county, the amount contributed by each local agency shall not be reduced to less than an amount of money equal to the amount allocated to such local agency for the 1967-68 fiscal year pursuant to Section 2110.5 of the Streets and Highways Code; and provided, further, that if the local agency is a county, the Department of Finance, in determining whether the county's financial resources are exhausted, shall ascertain whether the county has levied, during the then current year, the maximum property tax for highway purposes authorized by Section 1550 of the Streets and Highways Code in the road district in which the work is proposed, and if such tax is being levied at less than the maximum rate authorized by Section 1550, the amount to be allocated by the State Allocation Board under this section shall be reduced by an amount equivalent to the difference between the revenue derived from the property tax being levied for highway purposes in such road district and the revenue which would have been derived from such tax at the maximum rate authorized by Section 1550. In determining if a county has levied sufficient taxes, amounts to be received from other taxes levied by that county and used for road purposes shall be included.

SEC. 7. Section 54157 of the Government Code is amended to read:

54157. (1) Except as provided in Section 54155, no money shall be allocated by the Department of Finance unless and until:

(a) A local agency has applied to the Department of Finance for an allocation of funds, and the Department of Water Resources, the Department of General Services or the Department of Public Works has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance, and the Department of Finance has approved the expenditure and purpose. *A local agency which is in an area in which the Governor has proclaimed a state of disaster pursuant to Chapter 1 (commencing with Section 1500) of Division 7 of the Military and Veterans Code shall indicate, to the satisfaction of the Department of Finance, that it has applied for any other available public funds to assist in financing the cost of the work.* The estimate of cost of the work may include expenditures made by the local agency for such work prior to the making of such estimate.

(b) The local agency has executed an agreement in such form as the Department of Water Resources, the Department of General Services, or the Department of Public Works, as the case may be, prescribes. Such agreement shall be subject to the approval of the Department of Finance. Such agreement shall provide for the performance of the work by the local agency or by the Department of Water Resources, the Department of General Services, or the Department of Public Works, the methods of handling the funds allocated hereunder and the matching funds provided by the local agency. It shall also contain such other provisions as are deemed necessary to assure completion of the work included in the project and the proper expenditure of funds as provided herein.

(c) Moneys as prescribed by the Department of Finance are made available by or on behalf of the agency in control of the damaged or destroyed facility or facilities.

(2) Allocations of funds under this article shall be made as follows:

(a) As to street, highway, and bridge projects, the Department of Finance shall determine the respective amounts which the state and the local agency shall contribute, using the following criteria as a guide:

~~(i) The state shall make no allocation as to that portion of the damage equal to 5 percent or less of the total amount apportioned by the state to the local agency from the Highway Users Tax Fund during the previous fiscal year or equal to five hundred thousand dollars ($500,000), whichever is less.~~

~~(ii) As to damage exceeding 5 percent or five hundred thousand dollars ($500,000), whichever is less, but not exceeding 50 percent of such amount apportioned, the state shall~~

(i) As to that portion of the damage equal to or less than 50 percent of the total amount apportioned by the state to the local agency from the Highway Users Tax Fund during the previous fiscal year, the state shall allocate 60 percent of the cost.

~~(iii)~~

(ii) As to damage exceeding 50 percent but not exceeding 150 percent of such amount apportioned, the state shall allocate 80 percent of the cost.

~~(iv)~~

(iii) As to damage over 150 percent of such amount apportioned, the state shall allocate 95 percent of the cost.

(b) As to other types of projects, the Department of Finance shall determine the respective amounts which the state and the local agency shall contribute, using the following criteria as a guide:

~~(i) The state shall make no allocation as to that portion of the damage equal to 5 percent or less of the revenue, exclusive of funds received from any federal or state agency, of the local agency during the previous fiscal year as determined by the Department of Finance or equal to five hundred thousand dollars ($500,000), whichever is less.~~

~~(ii) As to damage exceeding 5 percent or five hundred thousand dollars ($500,000), whichever is less, but not exceeding 50 percent of such revenue, the state shall allocate 60 per-~~

(i) As to that portion of the damage equal to or less than 50 percent of the revenue, exclusive of funds received from any federal or state agency, of the local agency during the previous fiscal year as determined by the Department of Finance, the state shall allocate 60 per cent of the cost.

~~(iii)~~

(ii) As to damage exceeding 50 percent but not exceeding 150 percent of such revenue, the state shall allocate 80 percent of the cost.

~~(iv)~~

(iii) As to damage over 150 percent of such revenue, the state shall allocate 95 percent of the cost.

(c) Expenditures incurred by a local agency prior to the effective date of the allocation for work otherwise eligible may be considered in determining the rate of contribution between the state and the local agency under the above criteria.

SEC. 8. Section 54157.1 is added to the Government Code, to read:

54157.1. The agreement executed between a local agency and the Department of Water Resources, the Department of General Services, or the Department of Public Works pursuant to subdivision (b) of Section 54157 shall contain a provision under which the local agency agrees to hold and save the state free from damages due to the work for which funds are allocated.

SEC. 9. Section 186.95 of the Streets and Highways Code is amended to read:

186.95. The Street and Highway Disaster Fund is hereby created in the State Treasury, to consist of the moneys referred to in Section 186.9.

The moneys in the Street and Highway Disaster Fund, which are appropriated by Section 186.9, shall be available for expenditure, transfer, and allocation, as follows:

(a) The money transferred to the fund pursuant to subdivision (a) of Section 186.9 shall be available for allocation by the State Allocation Board for the purposes of the Emergency Flood Relief Law (Article 6 (commencing with Section 54150), Chapter 5, Part 1, Division 2, Title 5 of the Government Code), including the purposes provided for in Section 54160 of the Government Code, for damage or destruction to local streets, roads and bridges from storm and flood or flood conditions which have occurred between December 1, 1964, and June 30, 1965. Local agencies shall apply to the State Allocation Board for an allocation of funds on or before April 1, 1966. Notwithstanding any provisions to the contrary in the Emergency Flood Relief Law, the funds allocated pursuant to this subdivision may be used for the purpose of repairing, restoring or replacing such local streets, roads or bridges to present-day standards, such as those referred to in Section 186.8 of this code, and to accommodate present traffic.

(b) The money in the fund including the money received from the federal government as reimbursement to any city or county for the repair or restoration of any street, road or bridge which has been or will be repaired or restored in part or in whole by funds allocated pursuant to this section shall be available for allocation by the State Allocation Board for the purposes of the Emergency Flood Relief Law for the repair or restoration of any local street, road or bridge damaged or destroyed by any disaster to present-day standards such as those referred to in Section 186.8 of this code, and to accommodate present traffic; and the use of such money shall not be limited to the repair or restoration of streets, roads or bridges damaged or destroyed by storm and flood or flood conditions; provided, that no such money shall be allocated for expenditure in connection with any disaster, except the damage or destruction to local streets, roads or bridges damaged or destroyed by storm and flood or flood conditions which have occurred between December 1, 1964, and June 30, 1965, unless and until specifically authorized by the Legislature.

(c) The money in the fund received from the federal government as reimbursement to the state for the repair or restoration of any state highway which has been or will be repaired or restored in part or in whole by funds transferred to the State Highway Fund pursuant to subdivision (b) of Section 186.9 or by funds expended pursuant to this section shall be available for transfer by the Department of Finance

to the State Highway Fund for allocation by the California Highway Commission and expenditure by the Department of Public Works for the repair or restoration of any state highway damaged or destroyed by any disaster to present-day standards and to accommodate present traffic.

(d) Any money in the fund not necessary for immediate use for the purposes otherwise specified in this section shall be available for transfer by the Department of Finance to the State Highway Fund for allocation and expenditure for construction of state highways, but any amount so transferred shall, after receipt by the Department of Public Works of written demand from the Department of Finance, be returned from the State Highway Fund to the Street and Highway Disaster Fund upon determination by the Department of Finance of the necessity of such money for the purposes of this section within a period of not to exceed six months in such installments as may be agreed upon by the Department of Finance and the Department of Public Works.

(e) The sum of two million six hundred ninety-two thousand two hundred fifty dollars ($2,692,250) of the cash balance of the money in the fund under subdivision (c) shall be transferred by the Department of Finance to subdivision (b) for expenditure pursuant to that subdivision in such installments and at such times as may be determined to be necessary by the Department of Finance. In addition to the amount provided for in the preceding sentence, if the Department of Finance at any time determines that the estimated unallocated balance of the fund under subdivision (b) of this section is insufficient, together with the amount provided in the preceding sentence, to carry out the purposes authorized under subdivision (b), and the Department of Public Works determines that a portion of the estimated unallocated balance of the fund under subdivision (c), over and above the amount provided for in the preceding sentence, is not immediately needed for carrying out the purposes of subdivision (c), the Department of Finance may transfer such portion to subdivision (b) for expenditures pursuant to that subdivision. Any amounts transferred pursuant to this subdivision shall not be required to be repaid.

(f) Notwithstanding any other provision of this section, money in the fund under subdivision (b) may be allocated by the State Allocation Board for expenditure pursuant to Section 54155 of the Government Code.

(g) Income from investment of moneys in the fund and all payments by local agencies in reimbursement of moneys disbursed from the fund, including deferred payments with interest, pursuant to Government Code Sections 54160 and 54161, and all other moneys deposited therein, pursuant to law, shall be available for expenditure, transfer and allocation pursuant to this section.

SEC. 10. Any local agency to which the state, prior to the effective date of this act, has advanced money to pay such local agency's share of the cost of repair, replacement, or restoration of public real property damaged or destroyed by any disaster need not repay any of the amount so advanced which, on the effective date of this act, is outstanding and has not been repaid.

SEC. 11. Section 7351 of the Revenue and Taxation Code is amended to read:

7351. For the privilege of distributing motor vehicle fuel a license tax is hereby imposed upon distributors at the rate of seven cents ($0.07) for each gallon of fuel distributed, except that for the period commencing on April 1, 1969, to and including ~~June 30~~ *September 30*, 1969, or such earlier date as may be established pursuant to Section 7351.6, the rate shall be eight cents ($0.08) for each gallon of fuel distributed.

SEC. 12. Section 7351.5 of the Revenue and Taxation Code is amended to read:

7351.5. (a) For the privilege of storing for the purpose of sale or use in the propulsion of a motor vehicle on a highway fuel as to the distribution of which a license tax not exceeding seven cents ($0.07) per gallon has been imposed under Section 7351, every person, except a duly licensed distributor, the government of the United States or any agency thereof, this state or any county, city and county, city, district, or any other political subdivision or agency of this state, owning one thousand (1,000) gallons or more thereof on April 1, 1969, shall pay a tax of one cent ($0.01) for each gallon of such fuel according to the volumetric measure thereof.

(b) Every person owning and having in storage for purpose of sale one thousand (1,000) or more gallons of motor vehicle fuel on ~~July~~ *October* 1, 1969, or, if a Governor's proclamation is issued pursuant to Section 7351.6, on the first day of the month following the issuance thereof, with respect to which a license tax of eight cents ($0.08) per gallon has been imposed under Section 7351 of this part, shall be allowed a refund of one cent ($0.01) for each gallon of such fuel. If the motor vehicle fuel with respect to which a refund is claimed hereunder was acquired taxpaid on the temperature-corrected measure, the volumetric measure of the fuel owned and in storage on ~~July~~ *October* 1, 1969, or, if a Governor's proclamation is issued pursuant to Section 7351.6, on the first day of the month following the issuance thereof, shall be adjusted to the temperature-corrected measure at 60 degrees Fahrenheit, and refund shall be computed on that adjusted measure. The refund shall be made in the manner provided in Article 1 (commencing with Section 8101) of Chapter 7 of this part to the extent that the provisions thereof are not inconsistent herewith, and further provided that the claim for such refund shall be filed with the State Controller on or before ~~August~~ *November* 1, 1969, or, if a Governor's proclamation is issued

pursuant to Section 7351.6, on or before the first day of the second month following the issuance thereof.

(c) For the purposes of subdivision (a) of this section, "storing" includes the possession in a container of any kind, including the fuel tanks of motor vehicles, of motor vehicle fuel and such fuel purchased from, and invoiced by, the seller prior to April 1, 1969, and in transit on that date.

For the purposes of subdivision (b) of this section, "storing" includes the possession in a container of any kind, including the fuel tanks of motor vehicles, of motor vehicle fuel purchased from, and invoiced by, the seller prior to ~~July~~ *October* 1, 1969 or, if a Governor's proclamation is issued pursuant to Section 7351.6, on the first day of the month following the issuance thereof, and in transit on that date.

For the purposes of this section, "owning" includes having title to, possession of as a consignee or agent, or any other possessory or beneficial interest in, motor vehicle fuel.

SEC. 13. Section 7351.6 of the Revenue and Taxation Code is amended to read:

7351.6. If, in any month prior to ~~June~~ *September*, 1969, the Governor, acting upon the advice of the Departments of Finance and Public Works, finds either (1) that sufficient funds will be available from increased taxes and federal reimbursements for federally approved projects for the purpose of financing the repair or restoration of local streets, roads, and bridges damaged or destroyed by storm and flood or flood conditions which have occurred between November 1, 1968, and June 30, 1969, with the eight cents ($0.08) per gallon rate of the tax imposed pursuant to Sections 7351 and 8651 remaining in effect only until the end of that month, or (2) that the sum of thirty million dollars ($30,000,000) will be available from said sources with such rate in effect only until the end of that month, whichever sum is the lesser, he shall, on or before the 10th day of that month, issue a proclamation making such declaration. Thereupon, the rate of the tax imposed pursuant to Section 7351 shall, on the first day of the month following the issuance of the Governor's proclamation, automatically revert to seven cents ($0.07) per gallon for each gallon of fuel distributed.

SEC. 14. Section 7653 of the Revenue and Taxation Code is amended to read:

7653. On or before May 1, 1969, each person subject to the tax imposed under Section 7351.5 shall prepare and file with the board on forms prescribed by the board a return showing the total number of gallons of motor vehicle fuel owned by him on April 1, 1969, as to the distribution of which a license tax not exceeding seven cents ($0.07) per gallon has been imposed under Section 7351 and such other information as the board deems necessary for the proper administration of this part. The return must be accompanied by a remittance payable to the Controller in the amount of tax due.

SEC. 15. Section 8651 of the Revenue and Taxation Code is amended to read:

8651. An excise tax is hereby imposed at the rate of seven cents ($0.07) for each gallon of fuel used, except that for the period commencing on April 1, 1969, to and including ~~June 30~~ *September 30*, 1969, or such earlier date as may be established pursuant to Section 8651.4, the rate shall be eight cents ($0.08) for each gallon of fuel used.

SEC. 16. Section 8651.5 of the Revenue and Taxation Code, as added by Chapter 27 of the Statutes of 1965, is amended and renumbered to read:

8651.4. If, in any month prior to ~~June~~ *September*, 1969, the Governor, acting upon the advice of the Departments of Finance and Public Works, finds either (1) that sufficient funds will be available from increased taxes and federal reimbursements for federally approved projects for the purpose of financing the repair or restoration of state highways and local streets, roads, and bridges damaged or destroyed by storm and flood or flood conditions which have occurred between November 1, 1968, and June 30, 1969, with the eight cents ($0.08) per gallon rate of the tax imposed pursuant to Sections 7351 and 8651 remaining in effect only until the end of that month, or (2) that the sum of thirty million dollars ($30,000,000) will be available from said sources with such rate in effect only until the end of that month, whichever sum is the lesser, he shall, on or before the 10th day of that month, issue a proclamation making such declaration. Thereupon, the rate of the tax imposed pursuant to Section 8651 shall, on the first day of the month following the issuance of the Governor's proclamation, automatically revert to seven cents ($0.07) per gallon for each gallon of fuel used.

SEC. 17. ~~The~~ *Of the* increased revenue derived from the increase in taxes provided for in this act and received in the High ~~way Users Tax Fund shall be transferred to the Street and~~ *way Users Tax Fund:*

(a) 80 percent shall be transferred to the Street and Highway Disaster Fund and be available for expenditure for allocation by the State Allocation Board for the purposes of the Emergency Flood Relief Law, including the purposes provided for in Section 54160 of the Government Code, for the repair, restoration, or replacement of any local street, road, or bridge damaged or destroyed by storm and flood or flood conditions, including damage or destruction by flood conditions arising from tidal waves, occurring between November 1, 1968 and June 30, 1969; provided, that the local agency has applied to the State Allocation Board for an allocation of funds on or before October 1, 1969.

(b) 20 percent shall be transferred to the State Highway Fund for expenditure, without regard to the provisions of Sections 188, 188.8, and 188.9, for the repair, replacement, or restoration of highways and bridges in the state highway sys-

tem damaged or destroyed by storm and flood or flood conditions which have occurred between November 1, 1968 and June 30, 1969, to present-day standards and to accommodate present traffic.

SEC. 18. All moneys which are made available by the various provisions of this act for expenditure or allocation for the repair, restoration, or replacement of public real property damaged or destroyed by storm and flood or flood conditions are hereby appropriated for the particular purposes specified by the respective provisions.

SEC. 19. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Annual storms and floods occurring in various counties of the state have caused and are expected to cause severe damage and destruction to essential local streets, roads and bridges, public facilities and property in said counties, including public facilities supplying domestic water to inhabitants thereof. In order that funds may be made available immediately for the repair, restoration, or replacement of such local streets, roads and bridges, public facilities and property, it is essential that this act go into immediate effect.

Public Disaster Assistance Programs

Following are highlights of various disaster assistance programs that have a bearing on present conditions existing throughout the State:

Federal Disaster Relief Act of 1950 (Public Law 81–875)

(Implementation requires Proclamation by Governor and President.)

In accordance with State law, local government is expected to apply its own resources in an effort to contain or to mitigate the effects of any disaster. If it should appear that the magnitude of the disaster, or if it actually reaches the stage where State assistance is needed, the governing body should then make a request to the Governor for a Proclamation of a "state of disaster". This is accomplished by a resolution from the local political entity, indicating a local state of disaster, reasons, and a request for the Governor's Proclamation.

Upon the Proclamation by the Governor, or in some cases prior to his Proclamation, a damage assessment will be made in the affected area. This damage assessment is conducted by the State Disaster Office, with the assistance of engineering team from the Division of Highways, Department of Water Resources, Office of Architecture and Construction, and State Public Health. Generally, the State teams will be accompanied by engineers from their Federal counterparts. Purpose is to ascertain scope of damage and general eligibility for further State and/or Federal assistance.

After completion of the damage assessment, if the magnitude of the disaster appears to be sufficient to warrant a request for Federal assistance, the Director of the California Disaster Office may recommend to the Governor that a request be made asking that the President declare the area a "major disaster" under this law.

Upon receipt by the Governor of word from the President that a "major disaster" has been declared, public meetings are conducted by the Disaster Office, normally in cooperation with the Federal Office of Emergency Preparedness, to explain the Act and to provide the necessary guidance to State agencies and local government to enable them to make their request for this supplementary assistance.

The Act provides for the minimum essential restoration of public facilities which were providing a service prior to the disaster. Public Law 875 does not provide assistance on any streets or highways which are on a Federal Aid Highway System.

Public Law 875 makes available supplementary federal financial assistance after it has been determined by the President of the United States that any flood, drought, fire, hurricane, earthquake, storm or other catastrophe is or threatens to become of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement the efforts and available resources of States and local governments in alleviating damage, hardship or suffering.

Federal Disaster Relief Act of 1966 (Public Law 89–769)

(Implementation requires Proclamation by Governor and President)

Public Law 769 was enacted to provide additional assistance involving certain public facilities that may have been under construction but not completed at the time of "major disaster." The resulting disaster proclamation steps are identical to that described under Public Law 875 and the necessary proclamations are made under the provisions of said law.

Public Law 769 does not provide assistance for streets, roads and bridges in the same manner as that provided under Public Law 875. It limits eligibility to the following types of projects: Flood Control, Navigation, Irrigation, Reclamation, Public Power, Sewage Treatment, Water Treatment, Watershed Development, and Airport Construction. It does, however, provide assistance for access and work roads which are a necessary part of an eligible project.

Assistance under this law is provided only when the eligible project was in the process of construction and not completed and providing a service at the time of the "major disaster." If the project was completed, but not accepted by the public operating authority, it may also be eligible.

The federal assistance rendered provides for the payment of 50% of the eligible costs to restore the project to its point of completion at the time the damage occurred; and an additional 50% of the costs of completing construction not performed prior to the "major disaster" to the extent the increase of such costs over original construction cost is attributable to changed conditions resulting from the "major disaster."

Title 23, U.S. Code, Section 125 (Repair or Reconstruction of Highways on the Federal Aid System)

(Implementation on certain highways requires Proclamation by Governor and concurrence by Secretary of Commerce)

Under Title 23, the Secretary of Commerce is authorized to provide assistance to any State in the repair or reconstruction of highways or bridges on the Federal Aid Highway System, including the National System of Interstate and Defense Highways. This assistance may be rendered when the Secretary of Commerce determines that a State has suffered serious damage as a result of a disaster over a wide area, which was brought about due to a flood, hurricane, seismic sea wave, earthquake, severe storms, landslides, or other catastrophes.

Before funds under this law may be available, it is necessary that an emergency first be proclaimed by the Governor of the affected State and this Proclamation must be concurred in by the Secretary of Commerce.

In addition, these emergency funds are available for the repair or reconstruction of national forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads; irrespective of whether they are on any Federal Aid System. The Federal share payable on account of the repair or reconstruction of these roads may be 100%. For these repairs, it is not necessary for the Governor of the State to proclaim an emergency; nor does the law require that the State Highway Department make application for such expenditure. The funds are available for expenditure on these roads whenever the Secretary of Commerce shall find that they suffered serious damage from disaster over a wide area.

At the present time, under the formula for costs reimbursement, the Federal share for repair on streets and highways on the Federal Aid System in California amounts to approximately 60%. There is some possibility that the Federal share of the costs may rise to approximately 71% in the near future.

As a result of the Federal Highway Act of 1968, a new Policy and Procedures Memorandum has been issued by the Bureau of Public Roads, which sets forth some changes in the present Act. Detailed information concerning any part of this particular Federal program is available through the State Division of Highways.

No work should be performed where local government expects reimbursement under Title 23 until such time as approval is given for the repairs by the Bureau of Public Roads. This, of course, would not include an emergency opening.

However, when an emergency opening is made, it should be done in such a way as to leave evidence of the necessity for the opening so that the representatives of the Bureau will be able to determine that the action taken was in conformance with the law. Pictures of the condition prior to the emergency opening will always help to justify the actions.

State Emergency Flood Relief Law (Sections 54150–54164 of the Government Code)

(Implementation does not normally require Proclamation by Governor but does involve his concurrence of departmental action)

The main difference between the State Emergency Flood Relief Law and Public Law 875 is that the State program provides assistance for the permanent restoration of streets, roads and bridges, to be repaired to State standards rather than the minimum essential restoration.

The State program, however, does not provide assistance in the making of emergency repairs for those costs such as the placing of barricades, reflectors, debris clearance, and other costs which may be eligible under the Federal program.

It is not necessary that a Proclamation of a "state of disaster" as such be issued by the Governor in order for these funds to be made available. It does, however, require legislative action in each case based on local requests and verification by the State Department of Water Resources as to actual emergency. The Legislature must pass a bill setting forth the storm damage period, and must appropriate funds for the purposes of this law. Concurrence by the Governor and fund availability are necessary administrative prerequisites.

The law provides State assistance for the permanent restoration of eligible streets, roads and bridges on a percentage basis. To determine the amount of funds which may be made available, the prior year Highway Users Tax apportionment to the local agency is the determining factor. In all cases, the first 10% of the amount received in Users Tax during the prior year will be borne in

whole by the local agency. Under the formula the State will then pay 60% of the next 10% to 50% of the allocation base, 80% from 50% to 150% of the allocation base, and 95% of any costs over 150% of the allocation base. In addition, if any federal funds are made available, they must be subtracted from the total cost prior to applying the above formula.

Federal Flood Control Act (Public Law 99)

(Implementation does not normally require Proclamation by Governor or President)

This program functions on a supplementary basis to other federal, state and local government efforts. It provides authority for the U.S. Army Corps of Engineers' action in flood emergency preparation, flood fighting, rescue operations, and repair or restoration of certain flood control work threatened or destroyed by flood. Action may be taken by the Corps at the request of responsible local authorities when available local and state resources are inadequate or when assistance under other Federal Public Laws covering emergencies is not considered available or appropriate.

Mr. SAMSON. In summary, I think the distinguished gentlemen who preceded me here gave you a pretty specific outline on some of the problems. I will limit my comments to general remarks which may affect some of the things that have already been said.

The following general estimates reflect an upward revision in public damage from an earlier submitted estimate of $110 to $165 million. This is caused by a 23-percent increase in the category of streets, roads, and bridges.

These figures, as you are well aware, are very general and perhaps will prove premature.

Every time we obtain a reestimate, they go up. And I guess this is normal in this business.

The current dollar estimates of public damage in 40 counties declared by the Governor to be a major disaster area, 37 of these counties have been declared major disaster areas by Presidential proclamation, are now approximately $165 million. Twenty-seven percent of the estimated total is in the category of dikes, levees, and drainage facilities; and approximately half is in streets, roads, and bridges; the balance in the other general categories.

The total private damage in these counties is estimated as approximately $100 million. I would point out that this is only that which has been reported. Much of the damage which has already occurred in the private sector may never be reported, and much of it will not be known until such time as the agricultural people and others can get into these areas which were so aptly described a few minutes ago.

In the area of the private sector—and I believe there was a question brought up a while ago that I might comment on in respect to the effects of an insurance program, had there been one—taking the figure of about $100 million as a start for damage to private property, the Red Cross estimates that in attending to individuals, they will probably spend about somewhere on the order of a million, perhaps a million and a half dollars in California this year.

And this would be, I think, a reasonable approach to looking at the gap, in the absence of private insurance.

In one area where, I believe, 30 houses were damaged, only one was insured; and of course the insurance of individual houses is a pretty expensive proposition.

A brief comment on the plans and arrangements that are being made with respect to the anticipated runoff.

The heavy snowfall has already been mentioned, but we have had several meetings already in California with Federal, State, and local jurisdiction people and private enterprise, for the purpose of assessing the situation and organizing to cope with the threat.

The Corps of Engineers, the Bureau of Reclamation, the State department of water resources, and various other agencies throughout the State, have made arrangements to handle the patrolling and repair of the reservoir and levee systems that have to be done in order to provide for the security under these conditions.

In 1967, under conditions of a much smaller severity, there was in the Tulare Lake area in Kings County, which was mentioned, approximately 23,000 acres under water and some 200,000 acre-feet of water in that area. Tulare Lake, as you know, is a basin which is provided for flood relief, but it is also a privately owned and farming area, and the losses here are as indicated. They will be tremendous in terms of economic effect on the area.

At the present time, as against that 200,000 acre-feet, there is something like almost 450,000 acre-feet in the area, and some 60,000 acres under water. This is just in this one limited area, and does not apply to the other 200,000 he was speaking about.

It is anticipated that perhaps something over a million to approximately a million and a half acre-feet will be required to be disposed of in the Tulare Lake Basin.

That ties in with what he was mentioning a few moments ago.

There are some other data included in my folder. Generally speaking, we, from the standpoint of the State of California, appreciate the support which the committee is giving, and we do support the approach which is being taken.

We request your assistance in this matter, and we appreciate the work that is being done by the committee.

In connection with the comments that were made about Public Law 566, I did provide, from the Department of Conservation, some folders on that; and they will also be provided to the other committee for their information.

This concludes my comments with respect to the California Disaster Office, Mr. Chairman.

Are there any questions?

Mr. JOHNSON. I want to thank you for all of the cooperation given us when we visited your State. In talking with the Federal officials, who have been charged with the Federal responsibility, they have the highest commendations for you and your operation in California.

I was wondering, the last $2 million that was made available to the 14 agricultural counties in the State, could you give us a brief résumé of what took place in carrying out the program that was financed by that $2 million?

Mr. SAMSON. Yes, sir. That has now been raised to a total of $3 million at this point. The manner in which this was handled, the agricultural committees of the various counties made preliminary estimates to the needs in their various areas. As you know, the money is provided primarily for the restoration of agricultural lands and the like, and does not reflect as much in the other area of crop losses and the like. It was coordinated by the Agricultural Conservation Com-

mittee, headed up by Mr. Seidel, and the requests were placed through to the Department of Agriculture.

As regards the administration, it is handled on a basis in the individual counties, through the committees, and with the individuals who are involved in the improvement projects.

Mr. JOHNSON. Now, as I understand it, most of that $3 million, if it is spent, will be for the restoration of lands?

Mr. SAMSON. Yes, sir. Could be in the area of possible levees, or the like; but primarily in the improvement of the land itself.

Mr. JOHNSON. We want to thank you for this material and your appearance here. As you know, we have a very large job to do to perfect this legislation that is pending before this committee.

Now I think the scope of the legislation, that is the title of it, will probably have to be changed to include the spring runoff as well as the storms and storm damage in December, January, and February. I think we should add to the scope the spring runoff, because as you have just stated, we are going to face a flood threat.

As it looks now, from everything we have learned, the Federal officials representing the Federal Government in the flood control field, anticipate some flooding. And, as I recall, you said you had met with these people, and also private enterpise, in trying to minimize the effect of the spring runoff?

Mr. SAMSON. Yes, sir. I would hope that the bill could be broad enough to include this area.

Mr. CLAUSEN. Extending just briefly on the remarks that Mr. Johnson has made, I believe that it is necessary for us to change the preamble and description of the bill to include those problems relating to snowpack. I know that while you have major problems in the Sierra Nevadas, I am aware also of the fact that in southern Oregon and northern California they have had some very extenuating circumstances with respect to the unusual amount of snow that has restricted logging operations.

This has in fact created serious economic problems for people that do not have access to the timber.

In Mr. Johnson's own area, we both have been concerned about the problems in the community of Redding, for example. Congressman Dellenback has talked to me about all the southern Oregon problems. I believe we are going to have to give some attention to this.

With this in mind and in your position as the disaster coordinator for the State of California, I would hope that you would review the bills, 6508 and 6509, and if you could give us the benefit of your expertise and knowledge, and if you feel there are some recommendations that we should be considering, once we go into executive session for the final markup, I think this would be very helpful to us. And so I hope, while you are here, you would carefully review the content, and if you have any recommendations for amendments or insertions, I think I can speak for Mr. Johnson and Mr. Anderson and myself, and others that are the coauthors, the California delegation, we would appreciate them.

Mr. SAMSON. Thank you. I would hope that we can provide you some assistance here on this.

Mr. CLAUSEN. And make any of your staff available to us. When we get down to the final drafting, we are going to need all the expertise we can use.

Mr. ANDERSON. Mr. Chairman, I was just wondering about what special provisions were being made by the State of California from its gasoline tax revenues?

Mr. SAMSON. As of yesterday, I believe the bill passed the Senate, and in the present form it provides a 6-month tax of 1 cent a gallon, to termination at a shorter period than 6 months if it is determined that sufficient money has been obtained.

Mr. ANDERSON. How much is it anticipated this bill will raise?

Mr. SAMSON. Perhaps the highways' people, who are here, could give you a more accurate figure. I believe about $10 million a month——

Mr. MOE. About $7 million a month.

The bill passed the assembly, and it has been amended. It has now passed the Senate, it goes back to the assembly and goes back to the Governor. The Governor has not taken a position.

Mr. ANDERSON. The Governor has not taken a position?

Mr. SAMSON. It might be interesting to note that approximately half of the damage in the highways area is not subject to assistance under the Federal aid's system; and the estimate this morning will be commented on in more detail later.

But it is about $80 million.

Mr. CLAUSEN. For the benefit of the record, the gentleman from the highway department that answered the question was Mr. James Moe.

I think Mr. Johnson brought up an extra point, because this is an indication, to this area of the committee, of the fact that the State of California is doing their fair share of what is required in the way of recovery——

Mr. ANDERSON. That is what I was trying to bring out. This is not a one-way street. The State of California is interested and, hopefully, will come in and help on this program.

Mr. SAMSON. This provides an additional $25 million in this bill, which is not a part of the gas tax. So it will be a considerable amount.

Mr. JOHNSON. Are there further questions?

Mr. SAMSON. As you know, Mr. James Stearns of conservation was due to be here today, and he gave me his information. Unfortunately, he got the flu at the last minute.

With the permission of the committee, I would like to summarize his statement.

Mr. JOHNSON. You may do that.

Mr. SAMSON. It has already been provided to the reporter for the record.

Mr. Stearns has some specific comments with respect to Public Law 566, and the committee has copies of the material he provided.

This is a comment which would be presented by Mr. James Stearns, director of the California Department of Conservation.

Mr. CLAUSEN. I would ask that the remarks of Mr. Stearns be incorporated in the record immediately following the remarks of the witness.

Mr. JOHNSON. Without objection, so ordered.

Mr. SAMSON (reading).

I appear today on behalf of the Resources Agency of California to make some additions to the testimony our Agency submitted when your subcommittee held hearings in California recently.

I would like to confine my remarks generally to preventive measures as we go into what our meteorologists tell us will probably be a cycle of wet years.

We have already commented on localized flooding which we may have this year.

I would like to call to the attention of the committee the fact that many of California's Public Law 566 proposals are the proper concern of this committee, as well as the House Agriculture Committee. As the results of the recent Southern California floods indicate, these projects will protect urban areas, too; and there is ample reason for your two committees to jointly consider them for emergency funding.

He provided information with respect to the Carpinteria project, which was referred to by Congressman Teague.

He would request that "your good offices communicate to your Agriculture and Appropriations Committees the vital need for full funding of the Clarke-McNary Act. The vegetative cover of the watershed that retains the moisture where it falls is the best and cheapest flood prevention money can buy."

I do take note of the fact that the committee already addressed Mr. Teague about this subject.

However, another request, a continuing request for full funding of the authorized $20 million a year to the States would materially assist this effort in California.

There is a folder of materials which he has provided in detail.

Finally, I would like to assure the committee that neither the State of California nor the Federal agencies with responsibility there are waiting without preparation the spring flooding that may very well develop. Although the Corps of Engineers has over-all maintenance responsibilities for works that have constructed in California, the water control and flood protection systems have been built and are operated as cooperative projects by many agencies of government, at all levels. They are preparing for and will respond to these spring emergencies in the same cooperative vein that these problems have historically been faced in California.

As I have told the committee before, the Division of Forestry's Conservation Camp system provides a very effective trained hand labor supply for flood and other emergencies.

And this labor system, as you well know, has been utilized a great deal this year.

This concludes a summary of his comments. I will be glad to assist, if I can, in the way of questions.

(Information provided by Mr. Stearns follows:)

STATEMENT OF JAMES G. STEARNS, DIRECTOR, STATE OF CALIFORNIA RESOURCES AGENCY, DEPARTMENT OF CONSERVATION

Mr. Chairman and Members of the Committee: I appear today on behalf of the Resources Agency of California to make some additions to the testimony our Agency submitted when your Subcommittees held hearings in California, recently.

Other witnesses can present damage figures in dollars to both public and private facilities in addition to my request, and I would like to confine my remarks generally to preventive measures as we go into what our meteorologists tell us will probably be a cycle of wet years. And, since we very probably have major localized flooding ahead of us this year, I would like to give the Committee the general idea of the State's general capabilities if that eventuality develops.

I would like to call to the attention of the Committee the fact that many of

California's Public Law 566 proposals are the proper concern of this Committee, as well as the House Agriculture Committee. As the results of the recent Southern California floods indicate, these projects will protect urban areas, too; and there is ample reason for your two committees to jointly consider them for emergency funding.

Because the Carpinteria Project is such a good example of this, I have provided the Committee with copies of the work plan and a pictorial record of the flood it is designed to control. Your Committee has, also, a status report of all Public Law 566 projects in California; and I submit, today, our best estimates of the damages in the areas where these projects are yet to be funded, or are not completed. Taken together, they present an opportunity to buy an awful lot of flood control for a relatively small amount of money.

Because the stability of the watershed of any stream is all important in the origination of flood-carried debris, and because that debris compounds and multiplies the destructive force of any heavy run-off, we cannot afford to let our watersheds burn. Some of you gentlemen saw the results of the tragic fire-flood sequence at Glendora on your recent field trip.

Again, I call on your good offices to communicate to your Agriculture and Appropriations Committees the vital need for full funding of the Clarke-McNary Act. The vegetative cover of the watershed that retains the moisture where it falls is the best and cheapest flood prevention money can buy.

The California Division of Forestry and the U.S. Forest Service have one of the finest, most effective cooperative mutual-aid fire protection systems in the country; but they can only go as far as their money takes them. The Federal Government does have, as expressed in the Clarke-McNary Act, an interest in the watershed areas. The aftermath of a flood demonstrates, as nothing else can, how much can be bought in damage prevention and avoided human suffering with an adequate wildland fire protection system. Full funding of the authorized $20 million a year to the states would materially assist this effort in California. In addition, a Congressional Review dating back to the original 50–50 concept embodied in the 1924 Act seems to be indicated.

Finally, I would like to assure the Committee that neither the State of California, nor the Federal agencies with responsibility there, are waiting without preparation for the spring flooding that may very well develop. Although the Corps of Engineers has over-all maintenance responsibilities for works they have constructed in California, the water control and flood protection systems have been built and are operated as cooperative projects by many agencies of government at all levels. They are preparing for and will respond to these spring emergencies in the same cooperative vein that these problems have historically been faced in California.

In addition to the Corps of Engineers, this involves the Bureau of Reclamation, the Department of the Army as a service-coordinating agency, the California Department of Water Resources, California Reclamation Board, and a vast array of local irrigation districts and flood control agencies. Operating from one central headquarters in Sacramento with a full interchange of information, beginning with known snowpack and weather data, these agencies represent one of the country's most effective flood response combinations. Their call for assistance to the California Disaster Office and the Office of Emergency Preparedness brings into play additional manpower and machinery, including my own Department of Conservation.

As I have told the Committee before, the Division of Forestry's Conservation Camp system provides a very effective trained hand labor supply for flood and other emergencies.

Although this presentation has been general in nature, some of the material that I have handed out today is more explicit in terms of California's fire protection and small watershed project needs. I will be happy to answer any questions.

March 18, 1969.

State of California—Memorandum

To Hon. James Stearns, Director, Department of Conservation, Sacramento. Calif.
From: Department of Fish and Game.
Subject: WP—House Subcommittee on Flood Control Hearings, HR 6508.

A. Alan Hill, Assistant to the Secretary for Resources, requested that we submit our comments on subject bill to you for consideration in your forthcoming appearance before the House Subcommittee on Flood Control.

It is our understanding that HR 6508 and HR 6509 will be jointly heard before the Subcommittee. The bills appear to be similar and both are entitled "California Disaster Relief Act of 1969". Both bills provide for emergency repair of flood damage to California roads and other public works and for emergency loans to to private enterprise to repair flood-incurred damages.

While we have no direct involvement in the bills, we should point out that we do have an interest in all construction activities affecting fish and wildlife resources. It is our hope that the emergency repairs to public works structures will be done in a manner compatible with fish and wildlife interests. We believe that there are adequate existing policies, programs and procedures to assure that this is done.

——— ———, *Director.*

STATE OF CALIFORNIA—MEMORANDUM

To: Hon. Earl Coke, Assistant to Governor for Cabinet Affairs, Governor's Office, State Capitol.
From: Office of the Secretary:
Subject: Increased Appropriation to States, State and Private Timber and Watershed Lands, Section 2, Clarke-McNary Act.

Issue.—Increased appropriation. Section 2, Clarke-McNary Act.

Facts.—Section 2 of the Federal Clarke-McNary Act provides for financial Grants-in-Aid to the states for the protection of state and private lands having a national interest. A 50–50 matching grant was originally contemplated. There are 20 million acres of these lands in California. The current Federal allocation is one million dollars as compared with a 25 million dollar state expenditure. The current nationwide allotment is 14.4 million dollars; and in the 91st Congress it is desired to secure the maximum congressional authorization of 20 million dollars.

Discussion.—In the 91st Congressional Session, the National Association of State Foresters, supported by the National Association of Soil Conservation Districts and the American Forestry Association, is endeavoring to secure the full authorized appropriation under the Clarke-McNary Act. This effort was also recommended by Governor Reagan's Survey Team on Efficiency and Cost Control. The only increase of any substance in the Clarke-McNary appropriation since 1960 has been a 1.5 million increase in 1967 which resulted from a direct request by the National Association of State Foresters to Congress. Previous efforts to secure needed increases through the U.S. Forest Service and Department of Agriculture budgets have been unsuccessful. The State of California is greatly concerned with the widening gap between Federal-State participation in this program as fire protection costs increase, but the Federal allotment decreases as more states enter the program and the allocation remains constant. If all funds authorized by Congress were budgeted, it is estimated that California would receive an additional $500,000 to $800,000 in increased support.

Conclusions and recommendations.—It is recommended that the State of California support subject requested increase, and so advise California California Members of Congress on the Agriculture and Appropriations Committees through the office of the Governor's representative in Washington, Mr. Gillenwaters.

The widening gap in California and the great disparity in Federal participation is illustrated by the following table:

CALIFORNIA CLARKE-McNARY QUALIFYING LANDS—FEDERAL ALLOTMENT VERSUS STATE EXPENDITURES

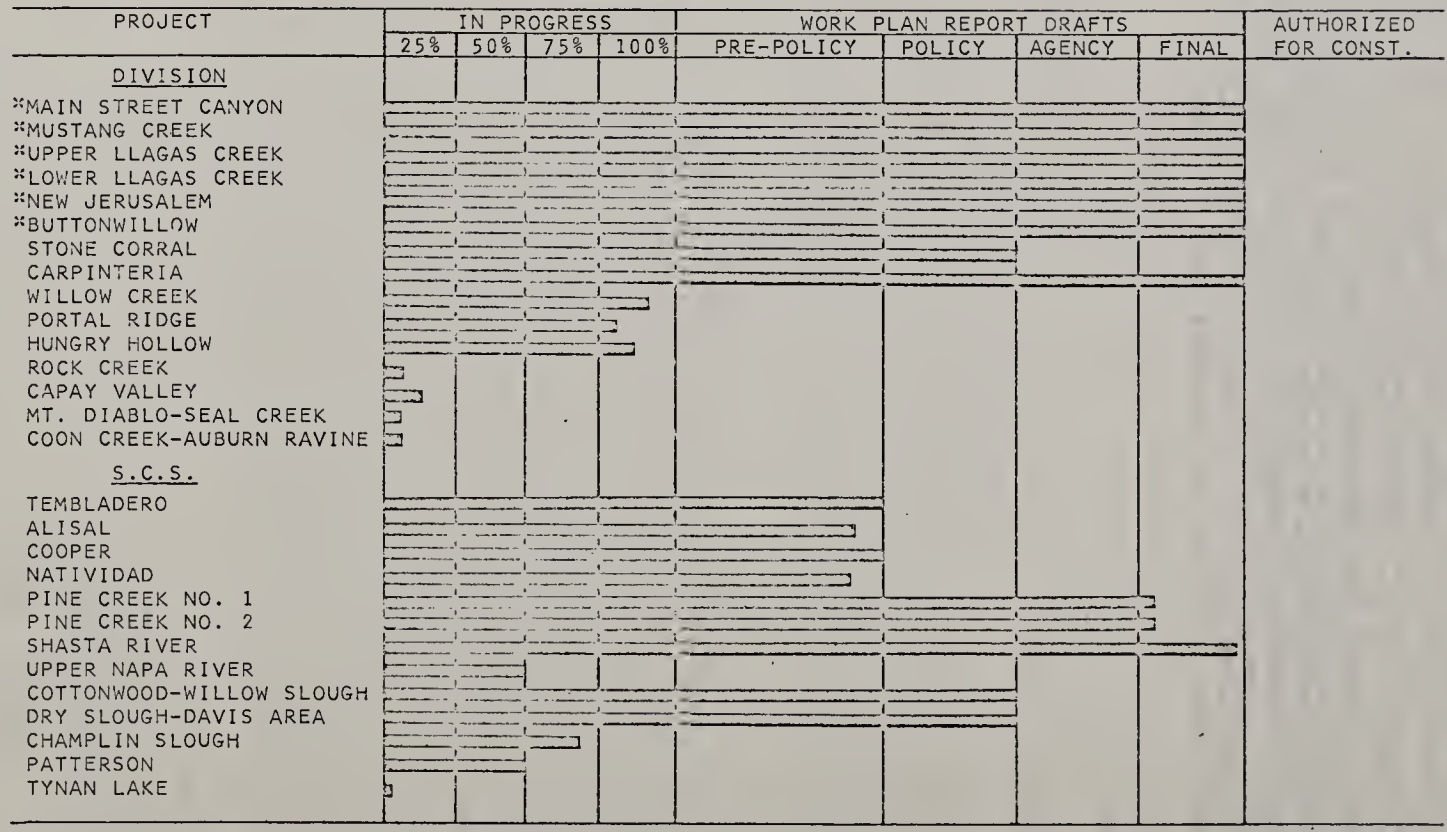
Fiscal year	Federal allotment	State expenditures	Percent o Federal participation
1967–68	$1,041,164	$25,086,702	4.15
1966–67	1,035,520	25,919,558	3.99
1965–66	1,073,080	25,458,114	4.21
1964–65	1,112,000	22,387,462	4.96
1963–64	1,112,000	20,201,452	5.50

In California and throughout the Nation, forest, range, and watershed protection from wildfire is basic to the preservation of recreation, wildlife, soil and water, timber, forage and environmental values of these lands. In California, these resource values have increased greatly, commensurate with California's increasing population and demands placed upon these lands for recreation, water, timber, etc. In particular, the number of water projects in California, existing and planned, have heightened the importance of adequate watershed fire protection to preserve and enchance the huge Federal and State investments.

During the period 1963-1967, the average annual fire occurence on these lands was 2203. During this same period, average annual acres burned was 84,909. In addition to resources losses, structural and improvement losses from these wildfires are increasing, as are the threats to life and property from fires starting on these lands with their increased use and occupancy.

STATE OF CALIFORNIA
DIVISION OF SOIL CONSERVATION

STATUS OF WORK PLANS



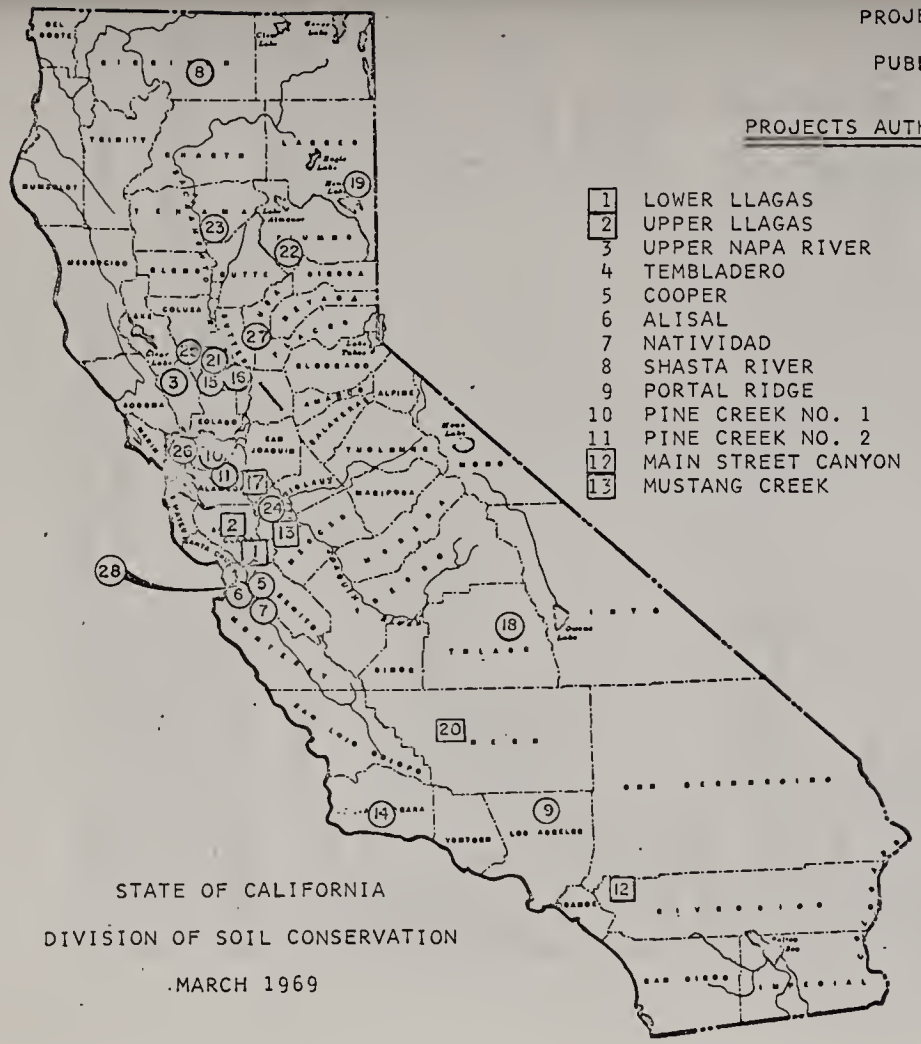
* APPROVED BY CONGRESSIONAL COMMITTEES FOR INSTALLATION OF WORKS OF IMPROVEMENT

MARCH 1969

PROJECT PLANNING

PUBLIC LAW 566

PROJECTS AUTHORIZED FOR PLANNING



1	LOWER LLAGAS
2	UPPER LLAGAS
3	UPPER NAPA RIVER
4	TEMBLADERO
5	COOPER
6	ALISAL
7	NATIVIDAD
8	SHASTA RIVER
9	PORTAL RIDGE
10	PINE CREEK NO. 1
11	PINE CREEK NO. 2
12	MAIN STREET CANYON
13	MUSTANG CREEK
14	CARPINTERIA
15	COTTONWOOD-WILLOW SLOUGH
16	DRY SLOUGH-DAVIS AREA
17	NEW JERUSALEM
18	STONE CORRAL
19	WILLOW CREEK
20	BUTTONWILLOW
21	HUNGRY HOLLOW
22	ROCK CREEK
23	CHAMPLIN SLOUGH
24	PATTERSON
25	CAPAY VALLEY
26	MT. DIABLO-SEAL CREEK
27	COON CREEK-AUBURN RAVINE
28	TYNAN LAKE

☐ APPROVED FOR CONSTRUCTION-NOT YET FUNDED

STATE OF CALIFORNIA

DIVISION OF SOIL CONSERVATION

MARCH 1969

STATE OF CALIFORNIA
DIVISION OF SOIL CONSERVATION

FLOOD DAMAGE REPORT - P.L. 566 PROJECTS**
JANUARY-FEBRUARY 1969

PROJECT	FLOOD DAMAGES
DIVISION	
* MAIN STREET CANYON	$ 250,000
* MUSTANG CREEK	450,000
* UPPER LLAGAS CREEK	234,000
* LOWER LLAGAS CREEK	351,000
* NEW JERUSALEM	1/
* BUTTONWILLOW	2/
STONE CORRAL	200,000
CARPINTERIA	1,800,000
WILLOW CREEK	2/
PORTAL RIDGE	NOT AVAILABLE
HUNGRY HOLLOW	70,000
ROCK CREEK	20,000
CAPAY VALLEY	2/
MT. DIABLO-SEAL CREEK	20,000
COON CREEK-AUBURN RAVINE	400,000
S.C.S.	
TEMBLADERO	88,000
ALISAL	32,000
COOPER	16,000
NATIVIDAD	168,000
PINE CREEK NO. 1)	30,000
PINE CREEK NO. 2)	
SHASTA RIVER	2/
UPPER NAPA RIVER	3/
COTTONWOOD-WILLOW SLOUGH	24,000
DRY SLOUGH-DAVIS AREA	18,000
CHAMPLIN SLOUGH	63,000
PATTERSON	1/
TYNAN LAKE	25,000
TOTAL DAMAGES	$4,259,000

* APPROVED BY CONGRESSIONAL COMMITTEES FOR INSTALLATION OF WORKS OF IMPROVEMENT.
**FLOOD DAMAGES FOR PROJECTS PLANNED OR BEING PLANNED.
1/ DRAINAGE PROJECT.
2/ AGRICULTURAL WATER DEVELOPMENT PROJECT.
3/ DAMAGES INCLUDED IN NAPA RIVER ($46,700).

MARCH 1969

PROJECT PLANNING

PUBLIC LAW 566

PROJECTS AUTHORIZED FOR CONSTRUCTION

1. ARROYO GRANDE
2. ADOBE CREEK
3. BUENA VISTA
4. CENTRAL SONOMA
5. MARSH-KELLOGG
6. ULATIS CREEK
7. ESCONDIDO CREEK
8. NAPA RIVER
9. MOSHER CREEK
10. REVOLON
11. BEARDSLEY

△ PROJECT COMPLETED

STATE OF CALIFORNIA

DIVISION OF SOIL CONSERVATION

NOVEMBER 1968

STATE OF CALIFORNIA
DIVISION OF SOIL CONSERVATION

FLOOD DAMAGE REPORT - P.L. 566 PROJECTS
JANUARY-FEBRUARY 1969

PROJECTS AUTHORIZED FOR CONSTRUCTION

DIVISION	PERCENT COMPLETED	ESTIMATED DAMAGES PREVENTED	ESTIMATED DAMAGES REMAINING
ESCONDIDO CREEK	68	1/	1/
MOSHER CREEK	43	---	$ 8,000
ULATIS CREEK	80	$436,000	64,000
S.C.S.			
ADOBE CREEK	100	93,600	---
ARROYO GRANDE	100	145,000	---
BEARDSLEY	2	---	365,000
BUENA VISTA	100	1/	1/
CENTRAL SONOMA	71	500,000	---
MARSH-KELLOGG	85	100,000	70,000
NAPA RIVER	19	---	46,700
REVOLON SLOUGH	5	---	563,000
TOTALS		$1,274,600	$1,116,700

1/ RUNOFF VERY MINOR - WOULD NOT HAVE CAUSED FLOODING.

MARCH 1969

CARPINTERIA, CALIFORNIA

FLOODS OF JANUARY 1969

prepared by

Santa Barbara County Flood Control and Water Conservation District

Santa Barbara Soil Conservation District

City of Carpinteria

California Division of Soil Conservation

February 1969

CARPINTERIA, CALIFORNIA

FLOODS OF JANUARY 1969

It will be a long time before the residents of Carpinteria forget the floods of January 1969. This Southern California coastal town and the surrounding areas were deluged by floodwaters, causing millions of dollars in damages to both public and private property.

People fled for their lives and were housed in auditoriums and gymnasiums. Traffic was stopped for days on major highways and railroads, and schools were closed.

Carpinteria is a small city on the Pacific Coast about 10 miles east of Santa Barbara. It lies at the base of the steep Santa Ynez Mountains. During heavy rains, water cascades down steep mountain canyons and converges in Santa Monica, Franklin, and Carpinteria Creeks. Floodwaters race swiftly down these creeks toward the sea, but Santa Monica and Franklin Creek capacities are sadly inadequate. Torrents of water, mud, boulders, and miscellaneous debris burst out of the channels and cover vast areas of high-value agricultural and urban property.

During the week of January 19, 1969, three storm fronts hit Carpinteria. Damage from the first two storms was not unusual to the present inhabitants of Carpinteria. They have experienced similar damages in four of the last five years. Residents had not completed cleaning up from the first two floods, when, on the night of January 24, 1969, heavy rains began for the third time. The dramatic pictures that follow show the results of the third storm.

Large boulders, trees, and other debris came roaring down Santa Monica Creek. Most of the debris lodged against bridges causing the water and mud to leave the natural Santa Monica Creek channel and flow overland through orchards, homes, businesses, and the Carpinteria High School. Some boulders and debris were forced out of the channel and tore mature avocado and lemon trees out of the ground by the roots, crashed against houses, and destroyed valuable greenhouses. Topsoil was washed away leaving rocks and debris in its place.

Much of the water and mud from Santa Monica Creek joined the already flooding Franklin Creek. Mud settled in channels filling them until they were virtually non-existent. The water and mud had no place to go but through more homes and businesses. Hundreds of people were evacuated from homes and car tops. Many were rescued by men wading in chest-deep water and mud.

When the storm ended and the water subsided, mud was everywhere -- in houses, on lawns, in the streets, and in the schools which were closed. Two U.S. 101 freeway bridges were washed out causing one fatality. Trains were stopped on the Southern Pacific Railroad.

An estimated 1,000 people were temporarily homeless, and some persons died of heart attacks while being evacuated. Forty homes in one low-income housing tract have been condemned and present plans are to clear the area. It is now three weeks since the floods, and residents of these homes are still being housed, clothed, and fed by volunteers in the Veteran's Memorial Auditorium.

Agriculture suffered extensive damage due to washed-out citrus and avocado trees, lands scoured of rich topsoil, greenhouse destruction, silt deposition over productive cropland, introduction of weed seeds, and the spread of tree-killing diseases.

Roads, public buildings, and utilities were extensively damaged, and silt and sand were up to three feet deep in city streets. Total damages to public and private property in Carpinteria Valley are expected to be near $4,000,000. The area was officially declared a disaster area while the city was struggling under a state of extreme emergency. Governor Ronald Reagan led a party of state officials to get a first-hand view of the devastation and to initiate assistance.

A few residents can recall the greatest flood of the century, in 1914, when hundreds of huge boulders came crashing down Santa Monica Creek and rolled out of the channels and across open fields. These fields are now covered by orchards and middle-income housing subdivisions. A storm of the 1914 magnitude could occur again -- this year -- next year -- anytime. Officials of the Santa Barbara County Flood Control and Water Conservation District, the City of Carpinteria, and the Santa Barbara Soil Conservation District know this and for that reason they are sponsoring a flood prevention project to be built under Public Law 566. The proposed project was designed to prevent damage from devastating storms such as occurred in January of 1969 -- and 1914.

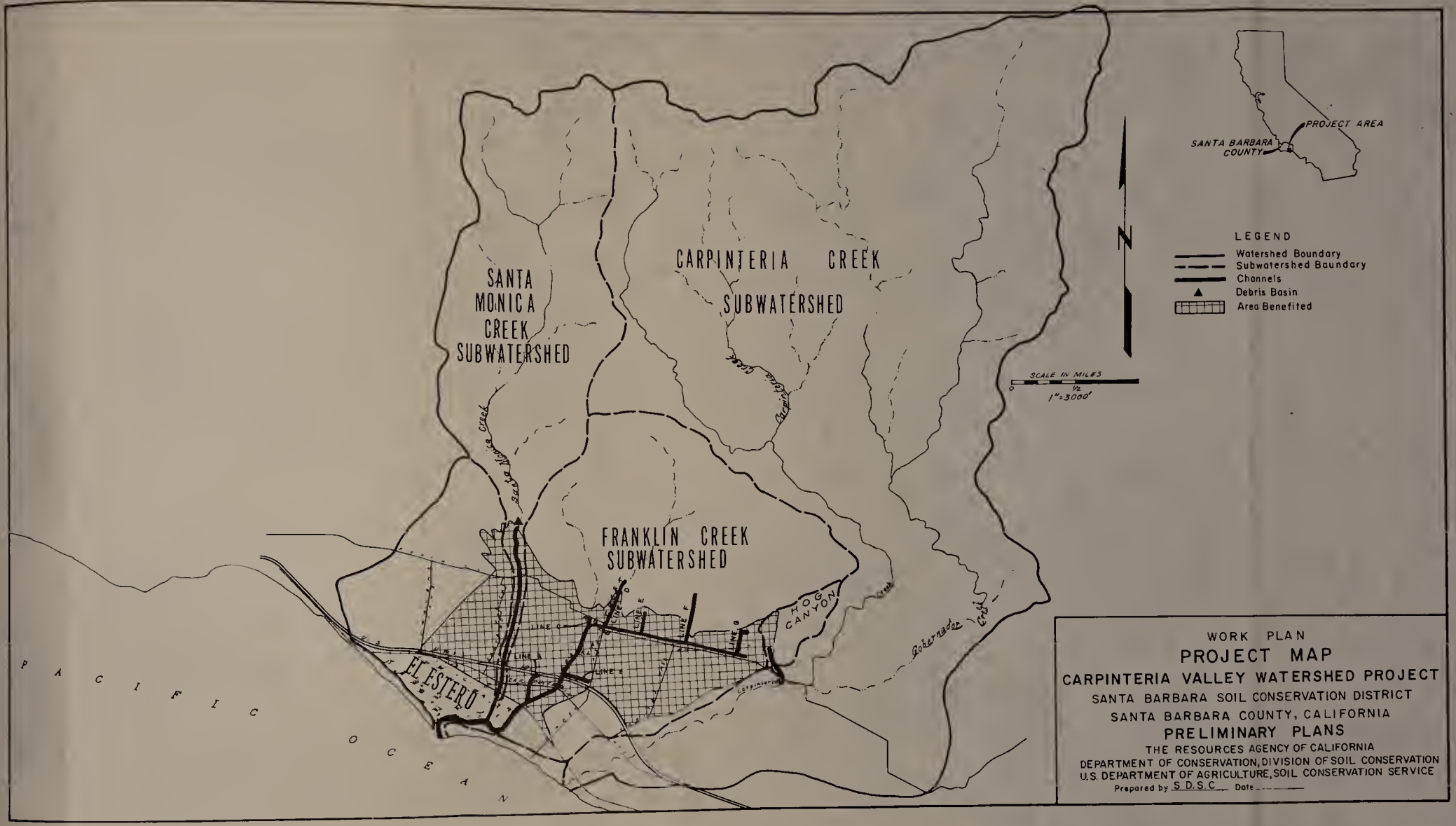
Plans for the proposed flood prevention project are presently in Washington, D. C., awaiting Congressional approval. This recent catastrophe demonstrates the fact that this project is needed now! The photographs tell the story.

Photographed by Mark Hurd Aerial Surveys Inc

Note:
Outlet from El Estero and the Hog Canyon Diversion Channel not shown.

CARPINTERIA VALLEY WATERSHED

SANTA BARBARA COUNTY, CALIFORNIA


SANTA MONICA CREEK SUBWATERSHED
CARPINTERIA CREEK SUBWATERSHED
FRANKLIN CREEK SUBWATERSHED
Santa Monica Creek
Carpinteria Creek
Franklin Creek
Rattlesnake Creek
HOG CANYON
EL ESTERO
LINE A
LINE B
LINE C
LINE D
LINE E
LINE F
LINE G
PACIFIC OCEAN
PROJECT AREA
SANTA BARBARA COUNTY
N
SCALE IN MILES
0
1/2
1"=3000'
LEGEND
Watershed Boundary
Subwatershed Boundary
Channels
Debris Basin
Area Benefited
WORK PLAN
PROJECT MAP
CARPINTERIA VALLEY WATERSHED PROJECT
SANTA BARBARA SOIL CONSERVATION DISTRICT
SANTA BARBARA COUNTY, CALIFORNIA
PRELIMINARY PLANS
THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION, DIVISION OF SOIL CONSERVATION
U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE
Prepared by S.D.S.C. Date

FLOOD MAP

JANUARY 1914

CARPINTERIA VALLEY WATERSHED PROJECT

SANTA BARBARA SOIL CONSERVATION DISTRICT

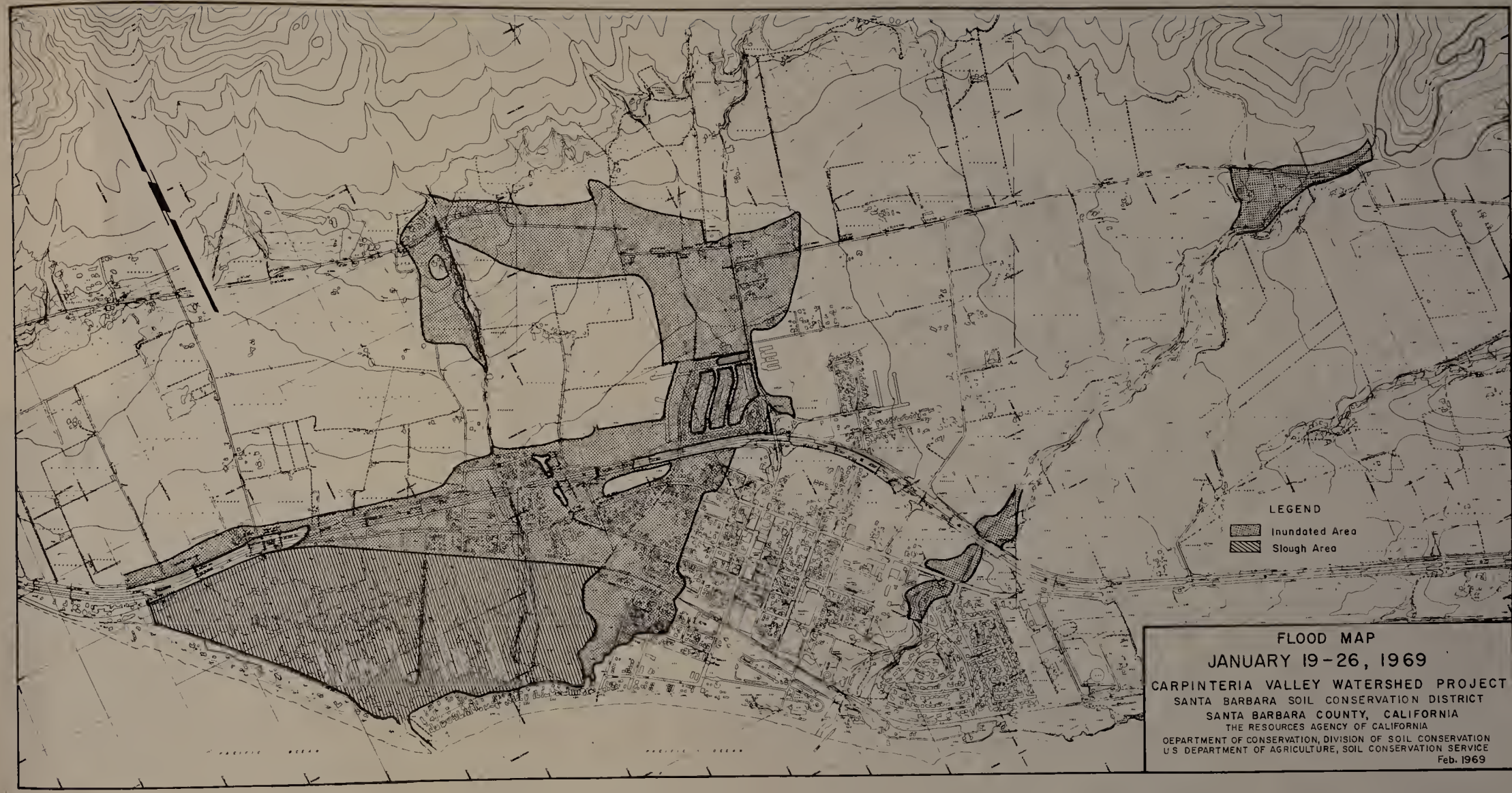
SANTA BARBARA COUNTY, CALIFORNIA

THE RESOURCES AGENCY OF CALIFORNIA

DEPARTMENT OF CONSERVATION, DIVISION OF SOIL CONSERVATION

U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

APRIL 1966


LEGEND
Inundated Area
Slough Area
FLOOD MAP
JANUARY 19-26, 1969
CARPINTERIA VALLEY WATERSHED PROJECT
SANTA BARBARA SOIL CONSERVATION DISTRICT
SANTA BARBARA COUNTY, CALIFORNIA
THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION, DIVISION OF SOIL CONSERVATION
U.S DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE
Feb. 1969

DEBRIS DAM
LINE 'D'
LINE 'E'
LINE 'F'
LINE 'G'
HOG CANYON DIVERSION
HIGH SCHOOL
LINE 'C'
SUBDIVISION
LINE 'B'
LINE 'A'
1
2
3
4
5
6
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30
31
32
N
LEGEND
Photograph Number (Arraw indicates direction from which photos were taken)
Proposed Structures
0 2000 4000 8000
SCALE IN FEET
PHOTOGRAPH INDEX
AND
PROPOSED PROJECT STRUCTURES
FEB. 1969

1. Floodwater and rocks from the Santa Monica Creek channel tore mature avocado and lemon trees out of the ground by the roots.

2. During the height of the storm, water rushed through a mature avocado grove, removing valuable topsoil and exposing the roots.

3. Debris in Santa Monica Creek smashed against Foothill Road Bridge and caused water to leave the natural channel. In this photograph, Santa Monica Creek normally flows from right to left. Debris at the bridge can be seen to the right of the center of the picture. Water which flowed around the bridge in both directions was unable to return to Santa Monica Creek. Water in the foreground undermined Foothill Road and then passed through an orchard and the high school on the way to Franklin Creek. Note debris and rocks lodged against house and utility pole.

4. Close-up of Santa Monica Creek debris against Foothill Road Bridge. Heavy equipment attempted to clear bridge and allow water to return to natural channel. Note crumpled pavement in left foreground.

5. Several days after the storm, water still rushed from Santa Monica Creek along Foothill Road and into orchard in background. Note exposed utility pipeline and damaged pavement and foundation.

6. Typical gully through an orchard caused by overflow from Santa Monica Creek.

7. Same house as seen in photograph number 3. Note greenhouse in left background.

8. Some of the Santa Monica Creek overflow carried rocks and debris through these greenhouses. They are the same greenhouses seen in the previous photograph.

9. Rocks and debris deposited inside the greenhouses.

10. Typical inundation and deposition of mud and silt on agricultural land.

11. Water from Santa Monica Creek exited from orchard and flowed toward the high school seen in the background.

12. Santa Monica Creek passed through the high school. This picture was taken from a classroom window. (Photograph courtesy of Carpinteria Herald.)

13. Several days following the storm, water still flowed through school grounds. Mud covered lawns and walkways.

14. Students helped to remove water from high school library. Note that their pants were wet up to the knees.

15. Debris in Santa Monica Creek also lodged against bridge seen in the upper center of this photograph (to right of silver tanks). Water flowed to the left of the bridge and passed through the Kramer Housing Tract. Water flowed to the right and passed through a restaurant and service station seen in the photograph and then through a new motel before it flowed over the U. S. 101 freeway seen at the upper edge of the picture. Note that there was no water in Santa Monica Creek beyond the bridge.

16. Debris lodged against same bridge seen in previous photograph.

17. Water, mud, and debris passed through the Kramer Tract and caused forty of these lower-income homes to be condemned. Embankment for the U. S. 101 freeway seen in the background acted as a dam and caused water to deepen and deposit up to three feet of mud and debris in the tract and in homes.

18. A condemned home in the Kramer tract.

19. Most mud and debris had already been cleared from this Kramer Tract street. Note depth of mud that still covered yards seen to the left and right.

20. Inside a Kramer Tract home. A muddy water line can be seen on the wall and television. (Photograph courtesy of Carpinteria Herald.)

21. A rescue operation. (Photograph courtesy of Carpinteria Herald.)

22. A refuge center for homeless flood victims was initially set up at the high school gymnasium, the only portion of the school not affected by the flood. (Photograph courtesy of Carpinteria Herald.)

23. After leaving the Kramer Tract, Santa Monica Creek joined floodwaters from Franklin Creek in this middle-income housing development. Mud was high on the cars and houses but even higher water marks can be seen on the houses. U. S. 101 freeway is also seen in this picture.

24. Evacuation of flood victims in the same subdivision.

25. Flood flows from Santa Monica Creek carried topsoil from agricultural lands and filled Franklin Creek as shown here. This channel is normally about six feet deep. Notice the man who appears to be standing on water.

26. High water mark was pointed out on St. Joseph's Catholic School.

27. Flooded Carpinteria Avenue and adjoining businesses in downtown Carpinteria.

28. Mud deposited on lawns, streets, and in homes seen here. Many residents in this area were also evacuated. A pavement lies below the mud on this street.

29. Bank erosion on Carpinteria Creek.

30. Students at a private school and residents of farms were isolated for several days when water from Carpinteria Creek washed out this road. Helicopters supplied them with food and other needs. A downed utility pole and severed pipes can be seen.

31. Carpinteria Creek washed out these two U. S. 101 freeway bridges and caused traffic to be rerouted through town.

32. Debris carried to the ocean was washed up on beaches.

WATERSHED WORK PLAN, CARPINTERIA VALLEY WATERSHED, SANTA BARBARA COUNTY, CALIF.

Summary of Plan

The Carpinteria Valley Watershed is located in southeastern Santa Barbara County, California, about 75 miles northwest of Los Angeles. Approximately three-fourths of the 15,700 acre watershed consist of mountainous forest and brush land. The remainder of the watershed is located on alluvial deposits. Three major streams, Carpinteria, Santa Monica, and Franklin Creeks, convey flood runoff from the mountainous portion of the watershed to the flood plain. The entire City of Carpinteria, which is located in the lower watershed, is presently experiencing rapid growth.

Large areas of the lower watershed are subject to flood, debris, and erosion hazard because of inadequate channel capacities. The floodflows pass through intensively developed agricultural and urban lands on the fan before discharging into the ocean. Twenty-two damaging floods have occurred in this watershed over the past 105 years. In view of the present trend toward urban development, future flood damages could exceed any that have been experienced in the past.

It is proposed to solve the flood and related problems by the application of land treatment and structural measures. The land treatment, consisting of intensified fire protection on the forest and brush lands and on-farm measures such as brush control, improved ground cover, mulching, seeding, and irrigation water management, will be installed over a 5-year period. The structural measures proposed consist of 6.7 miles of improved channel and a debris dam, and will be installed over a 5-year period. All structural measures will be designed to control the flood that would be expected to be equaled or exceeded on the average of not more than once every 100 years.

The total installation cost of the land treatment and structural measures is estimated to be $5,151,100. Of this total, $3,328,500 will be from Public Law 566 funds, and $278,200 will come from regular funds appropriated to the U.S. Forest Service. The remaining $1,544,400, which is 30 percent of the total project cost, along with $14,400 annual operation and maintenance cost for structural measures will be financed from local sources.

The total average annual cost of the strutcural measures proposed in this work plan, which includes amortized installation cost plus annual operation and maintenance, is $156,200. A comparison of this annual cost with the $270,900 of average annual benefits produces a benefit-cost ratio of 1.7 to 1.0.

This work plan is sponsored jointly by the Santa Barbara Soil Conservation District, the Santa Barbara County Flood Control and Water Conservation District, and the City of Carpinteria. The Flood Control District will be the local agency responsible for project installation and operation and maintenance. Land treatment measures, other than those for fire protection will be installed and maintained by the individual landowners in cooperation with the local soil conservation district. The U.S. Forest Service will carry out the intensified fire protection measures on Federal lands. The California Division of Forestry and the Santa Barbara County Fire Deprtment, in coopertion with the U.S. Forest Service, will assist sponsoring agencies in installing the intensified fire protection measures on non-Federal lands.

The aforementioned agencies participated in the technical planning for this report with the Soil Conservation Service of the U.S. Department of Agriculture and the Division of Soil Conservation of the Department of Conservation, Resources Agency of California.

Description of Watershed

PHYSICAL DATA

The Carpinteria Valley Watershed is located in southeastern Santa Barbara County, California, about 75 miles northwest of Los Angeles. It lies about 10 miles east of Santa Barbara along U.S. Highway 101, the major north-south freeway connecting Los Angeles and San Francisco. The 15,700 acre watershed is on the southern slopes of the Santa Ynez Mountains and includes the City of Carpinteria.

Approximately three-fourths of the Carpinteria Valley Watershed consists of steeply sloped mountains that can be described as forest and brush land. The remaining one-fourth of the watershed area is on the valley floor which was formed by fan and floodplain deposits.

The mountains consist of unaltered and well consolidated sandstones and shale. The upper slopes are rough, stony and nearly precipitous in places. The foothills are gently sloping and smooth with well rounded ridges. Marine and alluvial terraces, alluvial fans, and a tidal marsh make up the coastal plain.

The watershed is drained by three principal streams: Carpinteria, Santa Monica, and Franklin Creeks. Carpinteria Creek has its headwaters in the upper Santa Ynez Mountains at an elevation of 4,690 feet. Carpinteria Creek joins with Gobernador Creek at the foot of the mountains and flows through the easterly portion of the City of Carpinteria before discharging into the Pacific Ocean.

Santa Monica Creek drains a long narrow area on the west side of the watershed. The major portion of the foothill and valley floor area lying between Carpinteria and Santa Monica Creeks is tributary to Franklin Creek. Runoff from a small area within the Franklin Creek drainage, called Hog Canyon, is diverted to Carpinteria Creek by a channel constructed by the Santa Barbara County Flood Control and Water Conservation District.

Santa Monica and Franklin Creeks enter a lagoon called El Estero, before discharging into the ocean. A small area to the west of Santa Monica Creek is also directly tributary to El Estero. This lagoon is an estuary with an outlet to the ocean that is usually obstructed by littoral sand drift. The maximum elevations in the areas tributary to Santa Monica Creek and Franklin Creek are 3,853 and 1,746 feet respectively.

The streams and waterways are bordered by mixed types of vegetation giving a pleasant variability to the landscape and providing varying degrees of bank and channel stabilization and wildlife habitat.

The cover of the upper watershed is almost entirely made up of brush with a high fire hazard during the dry season. The upper watershed of Santa Monica Creek, particularly, has a considerable amount of rock and other debris. This debris is carried by the stream and drops out as it enters the coastal plain. There has also been a considerable amount of agricultural land and orchards lost due to bank cutting along Carpinteria Creek.

California mule deer, brush and cottontail rabbits, gray squirrel, California quail, mountain quail, mourning dove, and band-tailed pigeon are game species found in the upland areas of the watershed. In the tidal area, principally in El Estero, a few mallards and cinnamon teal find nesting habitat along with rails and coots. The lagoon is used primarily by migrant waterfowl and shore birds moving up and down the coast. Pin-tail, shovler, green-winged teal, scaup and ruddy ducks are common migrants and winter residents, as are such nongame birds as California gulls, willets, dowitchers, and avocets.

El Estero is the largest estuary suitable for use by water birds between Morro Bay and Long Beach—a distance of over 200 miles. The lagoon is surrounded by pickleweed flats with some saltmarsh bulrush, southern bulrush, and cattails in the fresher water areas. Small estuaries exist at the mouth of a few of the other coastal creeks, but they are only an acre or two in extent, and therefore do not afford much habitat for birds.

About 4,310 acres are presently devoted to agriculture. The principal crops grown are citrus fruits and there are some avocados and field and truck crops, including tomatoes, beans, and other vegetables. The City of Carpinteria occupies the lower end of these alluvial deposits and in slowly encroaching on the agricultural area which lies between it and the foot of the mountains. Land capability units cover the complete range from Class I to Class VIII.

The climate of the area can be classified as Mediterranean, with approximately 80 to 85 percent of the rainfall occurring in the four months between December 1 and April 1, although occasional damaging storms occur in November and April. Average annual rainfall is about 14 inches at sea level but increases with elevation, reaching 28 inches at the crest of the Santa Ynez Mountains. With the diurnal differences between sea surface and land surface temperatures, afternoon on-shore breezes bring in cool, marine air which keeps the relative humidity high and the temperatures even and moderate.

The growing season of the area is quite long, averaging 11 months. Winter frosts are infrequent, with no frost during some years. The annual average mean temperature at Santa Barbara is 60° F. The average minimum temperature is 49° F., and the average maximum temperature is 71° F. Temperature extremes in the Santa Barbara area have ranged between a low of 27° F. and a high of 102° F.

The soils of the Carpinteria Valley Watershed can readily be divided into the two major classes of residual and transported. The residual class comprises the upland soils that have developed in place. They are generally shallow and rocky and the texture of the finer fraction varies from loamy sand to clay loam. In the absence of fire, these soils are protected by a dense cover of chaparral. The transported soils can be divided into basin, alluvial fan, and floodplain, and terrace units. The basin soils are organic silts and clays deposited in tidal marshes while the soils of the alluvial fans and floodplains are chiefly loamy sands or sandy loams. The terraces are composed of older alluvial deposits and are similar to the fan and floodplain soils but have better developed profiles. They also frequently contain a large fraction of very coarse material.

ECONOMIC DATA

Historically agriculture has been the major industry in the project area. Most of the middle part of the watershed on the steeper slopes is devoted to lemon and avocado groves. The lower watershed or floodplain area in agricultural use, is in scattered lemon groves, garden and truck farming and several large nurseries. Yields of all crops are high due to good soils and a mild climate, and the fruit, vegetables, and nursery stock is of high quality. There are 140 farm units operating in the watershed area and these range in size from 5 acres to 3,150 acres, with the average size being 65 acres. The present market value of producing groves ranges from $4,000 to $10,000 per acre.

The farms in the watershed are primarily owned and managed by family units. Citrus cooperatives pick, process, and market most of the fruit.

Seventy-five of the 140 farm units covering 7,130 acres have cooperator's agreements with the Santa Barbara Soil Conservation District and nearly all have conservation plans. Most of the 195 acres in the remaining ranches not covered by cooperator's agreements lie in the nearly level alluvial fan portion of the watershed.

Present land use in the watershed is as follows:

Land use	Acres	Percent
Agricultural:		
Citrus groves	2,460	15.5
Avocado groves	700	4.5
Truck and garden	230	1.5
Nurseries	120	1.0
Range	800	5.0
Urban	540	3.5
El Estero	230	1.5
Forest and brush:		
National forest	5,740	36.5
Private	4,880	31.0
Total	15,700	100.0

In the past several years, urban development in Carpinteria has been expanding to the north into the floodplain. Residential development has taken place on both sides of Franklin Creek and Santa Monica Creek. Some commercial development has also taken place on the east side of Santa Monica Creek. Several nurseries have been established in the Franklin Creek and Santa Monica Creek floodplains. Urban development has been projected for the next 20 years at a moderate growth rate. The Santa Barbara County Planning Department proposes to maintain much of the upper and middle portions of the watershed as forest and in agricultural uses. The population of the Carpinteria area has increased from 6,824 in April 1960 to an estimated 9,300 in October 1965. The population for 1980 is estimated to be 16,000. However, if development continues beyond 1980, it is estimated that the population in the valley will reach a "holding capacity" or 34,000.

Urban land values range from $5,000 to $20,000 per acre for residential use. Land values for commercial use average about $80,000 per acre. In the downtown portion of the city, values may range as high as seven dollars per square foot.

Economic conditions in the watershed can be described as good. A large lemon packing and processing industry is one of the main segments of the Carpinteria industrial-commercial economy. However, in recent years, several light industries have been developed in the area, and further expansion of industrial and com-

mercial facilities is planned. Commerce consists of the trade with local people, the summer visitors drawn by the fine beach and recreation facilities, and the traffic moving through the city on U.S. 101. An important factor in the local economy is the growing number of people who live in Carpinteria but commute to places of employment in the Santa Barbara and Ventura areas.

Carpinteria is located on U.S. 101, the main coastal north-south highway. The agricultural and urban portions of the watershed are traversed by many county roads and city streets. The only roads in the upper watershed are a few steep, dirt, utility service roads that are impassable in wet weather. The main line of the Southern Pacific Railroad passes through the lower floodplain and the City of Carpinteria.

Watershed Problems

GENERAL

A review of fire history reveals that the principal danger in the watershed is due to a high, man-caused fire incidence along or below the lower fringe of the forest and brush land area. Fires in this area, unless quickly suppressed, advance rapidly up the steep, inaccessible mountain slopes, especially if aided by winds and dry vegetation, conditions that are prevalent in the summer and fall months. Another major danger is from fires that start outside the watershed and burn into the watershed. This occurred during the Coyote fire in 1964 which started in the City of Santa Barbara several miles to the west and burned eastward into the Carpinteria Valley Watershed area before being brought under control.

FLOODWATER DAMAGE

Floodwaters originating within the Carpinteria Valley Watershed will inundate 1,250 acres on the average of once every 100 years. When the limited capacities of the channels carrying water from the mountains to the ocean are exceeded, flows start overland and flood agricultural and urban areas.

Some minor flooding occurs on the average of once every two and one-half years within this watershed. Damaging floods will occur on the average of one year out of every five years. However, in the past five years there have been three damaging floods. The November 1965 event on Franklin Creek was the most damaging recent flood. It resulted in about $200,000 of damage, of which about $19,000 was from losses to a nursery when soil sterilants were carried by floodwater into potted nursery stock. Information was gathered for this study from individuals who witnessed these floods. The 1914 flood was the worst in this century in the Carpinteria Valley Watershed and was one that is expected to occur on the average of once in a hundred years.

The 1-percent flood hazard area constitutes about eight percent of all lands in the watershed. The present value of land and improvements in the flood hazard area is about $39,000,000 and conservative estimates indicate this value will increase to $67,500,000 over the next 20 years.

Damages associated with agriculture are primarily the result of flood-borne root diseases that infect citrus and avocado groves, erosion, sediment and debris deposition, and spreading of weed seeds.

Urban damages consist of the cost of cleaning up, repairing or replacing items within buildings that have come in contact with floodwaters, cleaning up lawns and removing silt from lawns and surrounding grounds, and replacing lawns and other landscaping that have been ruined by flooding. Automobiles and trucks have been partially submerged by floodwaters and a general health hazard exists during periods of flooding.

Extensive damages to the public street and highway system as a result of flooding have occurred in the form of pavement destruction requiring replacement and major cleanup operations. Power and communication services have been disrupted due to downed poles and there is danger of gas lines being broken. All of these damages disrupt the normal community activity and result in indirect economic loss and the creation of a very adverse effect on community morale. In 1914 all railroads and road connections with Santa Barbara and Ventura were disrupted and supplies were brought in by pack trains for several days.

The outlet from El Estero is almost directly in the path of littoral drifts which cause the outlet to plug with sand. This sandplug is removed manually prior to each winter floodflow letting sea water into the lagoon. If a proper water level and salt balance can be maintained in this lagoon, conditions favorable to the production of food to sustain the migrant waterfowl population will result.

Because a major flood has not occurred since 1914, there has been some apathy regarding a flood hazard in this area. As a result, lands have been developed to intensive urban use within the floodplain with little regard for the flood problem. Although the 1914 flood caused extensive damage, mostly to agriculture, the present and future condition of the watershed and expanding urban development are such that without flood prevention measures, future flood damages will be catastrophic.

EROSION DAMAGE

The steep slopes in the upper watershed are subject to severe erosion during storm runoff. Erosion rates will be intensified following any wildfire in the upper watershed. During the 1914 storm, severe erosion in the upper Santa Monica Creek drainage area caused gravel, cobbles, and boulders to be transported to the middle and lower watersheds where they were deposited in areas now in agriculture and urban use.

In the lower watershed, overland flow moves down the fans in a cycle of alternating erosion and deposition. During the erosional phases of the cycle, gullies are formed in the rich alluvial farmland and other lands below are covered by sediment and debris. In agricultural areas, gullies must be filled and fields releveled before they can be cultivated. Some sheet erosion has taken place between rows of trees exposing their roots and resulting in the trees being on mounds above the general ground level. In the urban area, gullies must be backfilled and lawns and structures rebuilt or replaced.

SEDIMENT DAMAGE

Large amounts of sediment have been deposited on the floodplain during previous floods and will be in future floods, especially if the upper watershed should sustain a burn such as occurred in 1964 above Santa Barbara and Montecito. The 1914 flood deposited a great fan of sand, gravel, cobbles, and boulders adjacent to Santa Monica Creek. Rapid urbanization of this area greatly increases the potental for man-caused forest fires. Without land treatment, the burn rate in this watershed is estimated to be 1.7 percent per year.

Deposition of sediment causes considerable damage in citrus and avocado groves. To prevent the trees from becoming infected and killed, this sediment must be removed from the base of the trees and the trees must be treated with chemicals. These operations are difficult and costly, particularly in mature groves.

Cleanup and removal of sediment deposits and debris are also a major problem in urban areas. Floodwater contact with carpets and furniture causes considerable damage, and when the water contains sediment, these expensive appointments are generally ruined. Sediment, silt, and debris of sufficient depth completely destroy lawns, flowers, gardens, and shrubs.

Projects of Other Agencies

Considerable fire protection measures have been applied to the watershed. Quantities and estimated values of these various measures are found on Table 1A. Fire protection measures have been provided by the U.S. Forest Service, the California Division of Forestry, the Santa Barbara County Fire Department, and local fire departments.

The Carpinteria Reservoir is a 40 acre-foot municipal and irrigation supply reservoir located in the eastern part of the Franklin Creek drainage area just above the Hog Canyon diversion ditch. This reservoir is supplied by the Cuchuma Reservoir in the Santa Barbara area through a pipeline along Foothill and Casitas Pass Roads. The reservoirs and pipeline were built by the U.S. Bureau of Reclamation in 1952–53 as a part of the Cuchuma Project. Both of these facilities are maintained and operated by a local agency known as the Cuchuma Operation and Maintenance Board. The pipeline will require relocation at several points because of proposed project structural measures.

The Santa Barbara County Flood Control and Water Conservation District will construct a separate storm drainage system for the City of Carpinteria. This water will be collected at a common point and pumped into Franklin Creek. Such a system is necessary because the design water surface elevation in that reach of Franklin Creek adjoining Carpinteria is higher than invert elevations of existing inlets.

Basis for Project Formulation

The objective of this project is to reduce the existing flood problem, including the related problems of sedimentation and erosion. The proposed land treatment and structural measures will accomplish these objectives of the project sponsors and will result in the continued production of high value crops.

Most of the needed on-farm land treatment measures on land presently being farmed have already been installed by the ranchers. The need for additional practices will primarily be caused by urban expansion onto existing cropland which will force the planting of avocados and citrus farther into the foothill area. This conversion of brush and range land to cropland will tend to hold the total cropland acres near their present levels. Avocados and citrus are not under production control.

The present burn rate and resultant damage in the watershed indicates the need for additional fire protection facilities. Fire history reveals that the principal damage in the watershed is due to man-caused fires along the lower fringe of the forest and brush land area. Unless these fires are quickly suppressed, they advance rapidly up the steep, inaccessible mountain slopes, especially if aided by winds and dry vegetation, as is usually the case in the summer and fall months. The objective of the fire protection measures is to speed up the initial attack, facilitate follow-up action in the event the fire escapes initial attack, and provide protection against fires starting outside the watershed area.

The California Soil Conservation Commission has adopted a policy that protective measures for urban areas must be designed to control a flood that can be expected to be equaled or exceeded on the average of not more than once every 100 years. Since there are urban developments in the floodplain, the structural works of improvement proposed in this plan are designed to control the 100-year flood.

The structural improvements recommended in this work plan represent the best method for alleviating the flood problem. Structural measures are prescribed on the basis of an investigation made in sufficient detail to establish locations and feasibility. After work plan approval, further studies will be made to supply the details that will be necessary in preparation of construction plans and specifications. These studies may dictate minor alterations within the current scope and in accordance with technical standards of the Service and the desires of the sponsoring group.

Channel improvement was found to be the only practical solution to the flood problem. The lack of a topographically suitable storage site precludes the construction of a floodwater retarding structure. A debris dam is proposed on Santa Monica Creek to prevent debris from clogging the downstream channel. No debris dams are proposed on the canyons tributary to Franklin Creek or Carpinteria Creek since debris production is presently not a problem in these areas. However, if the area should experience a fire, emergency measures should be considered.

Consideration was also given to the possibility of providing for wildlife development in the form of a water control structure at the outlet of El Estero in order to stabilize water levels and salinity in the lagoon and improve habitat. The Department of Fish and Game has not been able to date to acquire title to El Estero, and in the absence of an alternate sponsor, this proposal will have to be deferred.

The opening of the outlet from El Estero to the ocean is not expected to adversely affect the wildlife habitat in the lagoon. In the past, the water level and salinity has fluctuated greatly in the lagoon depending upon the existing outlet conditions. At times, when the mouth of the lagoon was closed and large amounts of flood and drain water came in, the lagoon was practically a fresh water lake, flooding the adjacent lands to some extent. At other times, when there was little runoff, the lagoon would be practically dry, and be quite saline. During the past year, the mouth of the lagoon has remained open, as it will when the project is completed, and this condition apparently has not alversely affected the water level in the lagoon. With a stable opening, El Estero will function as a regular tidal estuary. Its ecology should be similar to that of Morro Bay, which supports a varied waterfowl and shore bird population.

Works of Improvement To Be Installed

Land treatment measures

Kinds and amounts of land treatment measures specified herein represent estimates of the need based upon land capabilities and land use, with the rate of application resulting from assignment of an optimum technical staff to the soil conservation district.

Measures proposel for the upper watershed consist of increased fire protection facilities designed to reduce the present average annual burn rate and the probability of a large fire. Installation of these measures is expected to result in a reduction in runoff and debris movement that occurs when protective brush cover on the mountain slopes is destroyed by fire.

The fire protection measures recommended include establishment of a fire station at Carpinteria with necessary personnel and equipment to speed up initial attack when fires occur in the high incidence zone along the fringe of the forest and brush land area. Should fires escape during initial attack, a system of roads, safety zones, fuelbreaks and water tanks in this critical lower area have been provided for breaking the area into smaller blocks and providing lines and facilities from which fires escaping initial attack can be controlled by follow-up action.

The danger from fires burning into the watershed has been reduced by the planned installation of fuelbreaks along the watershed boundary and the interior along with improved access roads for fire pumpers and the installation of water tanks. A heliport and a system of helispots from which helicopters will operate for initial attack are also included in the plan.

Other features of the fire protection plan include increased fire prevention education, and preattack planning.

The proposed on-farm land treatment measures are based on present and projected land uses. If the land-use changes diverge appreciably from those expected, alternate appropriate land treatment measures will be considered. These changes, if necessary, will be made during project installation and will become a part of the Santa Barbara Soil Conservation District's long-range program.

Land treatment measures will include the following:

Brush Control.—Converting brush covered Classes IV and VI lands to grass and legumes for forage productions and to create fuelbreaks for better fire control.

Conservation Cropping System.—Using a soil improving or soil maintenance crop rotation on nonorchard croplands.

Cover and Green Manure Crops.—Using either volunteer annual, seeding self-perpetuating annual, or permanent perennial cover or green manure crop on croplands and orchards for winter protection or soil improvement.

Crop Residue Use.—Utilizing plant residues left in cultivated fields by incorporating them into the soil or leaving them on the surface during that part of the year when critical erosion period usually occurs. This includes using orchard prunings.

Diversion.—Constructing channels across sloping to steep land to carry surface runoff to controlled outlets without erosion.

Grade Stabilization Structures.—Constructing grade control structures for diversion, gullies, and channels.

Irrigation Storage Reservoir.—Constructing two irrigation storage reservoirs.

Irrigation System, Sprinkler.—Installing sprinklers for the efficient application of water for irrigation.

Irrigation System, Surface.—Installing water control structures for efficient distribution of water.

Irrigation Water Management.—Managing the quantity of water used by determining the moisture holding capacity of the soil and the need of the crop.

Minimum Tillage.—Limiting the number of cultural operations to those that are properly timed and essential to produce a crop and prevent soil damage.

Mulching.—Applying plant residue or other suitable materials, not produced on the site, to the surface of the soil.

Range, Proper Use.—Grazing range lands at a time and intensity which will maintain adequate cover for soil protection and maintain or improve the quantity and the quality of desirable vegetation.

Range Seeding.—Establish adapted annual or perennial grasses and legumes where needed to provide erosion control or improve the quality of forage.

Streambank Protection.—Installing pipe and wire revetment or other similar structures on the main channels above the proposed project work and on smaller side channels.

Stream Channel Improvement.—Removing trees, rock and debris from channels.

Wildlife Habitat Preservation.—Leaving food and cover plants, trees and shrubs, in gullies and near natural or developed water sites for quail.

Wildlife Watering Facilities.—Installing or improving existing watering facilities; primarily for quail.

STRUCTURAL MEASURES

The plan for structural measures within the watershed proposes construction of a debris dam and a total of 5.4 miles of lined channel of sufficient capacity to contain the 1-percent flood, an event that will be equaled or exceeded on the average of not more than once every 100 years.

The plan also provides for an improved outlet from El Estero including an extension to an existing seawall, and 0.6 mile of dikes and 1.3 miles of dredged channel within the lagoon. The location of these structures are shown on the project map. The estimated costs of the structural measures are shown in Tables 1 and 2 and design data and other physical characteristics are summarized in Table 3.

Franklin Creek

Works of improvement on Franklin Creek and its tributaries consist of 3.67 miles of reinforced concrete channel. An additional 0.42 mile of reinforced concrete channel is proposed for an existing channel which diverts flow from a portion of the Franklin Creek drainage into Carpinteria Creek. The proposed rectangular channels have been designed for supercritical flow.

The capacity of the main channel will vary from 100 cubic feet per second at its head to 3,500 cubic feet per second where it will discharge into El Estero, 100 feet below the Southern Pacific Railroad bridge. The bottom width will vary from 4 to 35 feet and the design depth will vary from 1.9 to 5.6 feet. The maximum design velocity is 22.8 feet per second.

Seven tributary channels will be improved so that floodwaters can reach Franklin Creek without flowing overland through agricultural and urban areas. Design capacities in these channels range from 300 to 1,050 cubic feet per second. Bottom widths vary from 5 to 10 feet and design depth from 2.9 to 5.1 feet. The maximum design velocity is 26.7 feet per second.

Five of the tributary channels will require special junction structures at their confluence with the main channel. The two flows will be brought together as nearly parallel as possible to minimize turbulence.

The existing Hog Canyon channel which diverts flows from the western portion of the Franklin Creek drainage area into Carpinteria Creek will be improved for 0.42 mile immediately above Casitas Pass Road. The only improvement below Casitas Pass Road will be the replacement of two bridges. The channel will have a design capacity of 200 cubic feet per second, a bottom width of 5 feet, and a design depth of flow from 2.1 to 3.3 feet.

A maintenance road will be provided for each channel reach with a bottom width of less than 8 feet. Because of the high cost of right-of-way, the majority of the channel system will be provided with ramps for access of maintenance equipment into the channel. Ramps will be located at the beginning and end of each reach not obstructed by a bridge.

The estimated total installation cost for the main channel is $1,446,700; for the tributary channels, $782,400; and for the Hog Canyon diversion channel, $84,300.

Santa Monica Creek

Santa Monica Creek improvements consist of a debris dam and 1.32 miles of improved channel.

The debris dam will be located in the foothills about one-half mile above Foothill Road. The 47-foot high, zoned earthfill dam will be 400 feet long, with a crest width of 15 feet, and upstream and downstream side slopes of 2.5 to 1.0. The dam will create a basin with a debris storage capacity of 65 acre-feet.

The principal spillway will consist of a reinforced concrete riser 3 feet in diameter with hooded inlets connected to a 3-foot diameter conduit through the dam embankment. The spillway will discharge into the proposed Santa

Monica Creek concrete-lined channel. The riser will have inlets at various stages so that the basin can be emptied even if the lower inlets are plugged with debris. The rectangular reinforced concrete emergency spillway will be on the right abutment and have a weir length of 65 feet and a depth of 17 feet at the weir. The chute spillway will have an average wall height of 2.5 feet and a bottom width that transitions from 65 to 46 feet. It will pass the emergency spillway flow of 4,600 cubic feet per second.

The proposed channel on Santa Monica Creek will extend from the proposed debris dam to about 100 feet below the Southern Pacific Railroad bridge where it will discharge into El Estero. It will be a rectangular reinforced concrete structure designed to convey the 1-percent design flow of 3,100 cubic feet per second at supercritical velocities. The bottom width of the channel immediately below the spillway of the debris dam will be 46 feet but will transition to 20 feet within a 320 foot reach. The bottom width in the remainder of the channel will vary from 20 to 28 feet with a design depth of 5.2 to 5.3 feet. The maximum velocity will be 48.5 feet per second.

Ramps will be provided for access of maintenance equipment in the reach from the railroad bridge to the U.S. 101 freeway. One maintenance road will be built between the freeway and Foothill Road and two roads, one on each side of the channel, from Foothill Road to the debris dam. The latter will also provide access to the dam.

The estimated total installation cost is $531,200 for the debris dam and $1,110,100 for the Santa Monica Creek channel.

El Estero

The plan for structural improvements within El Estero includes 1.3 miles of dredged channels, an improved outlet to the ocean, 0.6 mile of dikes, removal of an existing jetty, and extension of an existing seawall.

Franklin and Santa Monica Creeks will be lined down to the lagoon and will be unlined, dredged channels through the lagoon. The former runs 0.57 mile and the later 0.34 mile through the lagoon to the confluence of the two channels. Both channels will have virtually no invert slope with the invert set at mean sea level. They will have bottom widths of 75 feet and side slopes of 2.5 to 1.0. A dike is to be constructed on the east side of each channel so that high flood-flows will be forced to overflow the west banks, thus utilizing the entire lagoon as a detention reservoir. The proposed levees will be about 11 feet high and will have 14-foot maintenance roads on their tops. The west side of the channels will be at natural ground level, about three to five feet above the channel invert.

The dredged channel will continue from the confluence of Franklin and Santa Monica Creeks to the ocean. This reach will be about 0.4 mile long and have a bottom width of 100 feet except for the outlet into the ocean which will have a bottom width of 200 feet. The design capacity of the outlet channel is 5,300 cubic feet per second.

Other proposed improvements at the outlet include removal of an existing jetty which protrudes into the ocean on the east side of the outlet, and construction of a 400-foot extension to an existing rock seawall on the west side. Removing the jetty will improve the flow of sand to the beach immediately to the east, and the proposed rock seawall will help prevent littoral sand drift from plugging the outlet.

The disturbed areas along the channelized portions of the streams will be revegetated for erosion control with native marsh plants and, insofar as possible, suitable trees and shrubs will be used to provide for wildlife habitat and aesthetic values. All planting projects in the El Estero area will be subject to approval of the California Department of Fish and Game. In the dredged reach in El Estero, the spoil will be deposited on peripheral land of higher elevation in order to preserve the tidal marshland. It will be placed where it will not destroy the natural appearance of the area or wildlife habitat and can be planted with suitable cover.

The estimated total installation costs for the structural improvements in the El Estero area are $235,600.

Explanation of Installation Costs

Land treatment measures

The costs of fire control measures reflect 1967 prices for doing the same or similar work in nearby areas. These costs, found in Table 1 total $418,100. Public Law 566 will provide $71,700, the U.S. Forest Service will provide $278,200, and local interest will be responsible for $68,200. The costs include labor, equipment,

materials, and supervisory, technical, and overhead charges. Certain measures will provide increased protection for areas outside the watershed. In these cases, the figures shown on Table 1 are the prorated costs. Fifty percent of the cost of the fuelbreak on the north perimeter was charged to the project. The portion of the costs of the fire station, heliport, and equipment air contract chargeable to the project is determined by the ratio of the land in the watershed protected by these measures to the total land protected by them.

Costs for on-farm land treatment found in Table 1 are based on the estimated quantity-unit cost approach and total $542,500. Of this total, $517,000 represents the cost of physically applying the required measures which will be met by the landowners on whose property the measures are recommended. Technical assistance will be paid for from Soil Conservation Service funds, with $11,500 representing expenditure of normal operating funds for the going rate of application and $14,000 being contributed from Public Law 566 funds for accelerating the application rate.

Installation costs of the planned land treatment measures are estimated by years as follows:

COST OF LAND TREATMENT MEASURES

Project year	Public Law 566 funds	Other funds		Total
		Forest Service	All other sources	
Forest and brushland (fire protection program):				
1	$19,900	$71,200	$21,100	$112,200
2	14,800	75,000	13,400	103,200
3	14,700	75,000	13,400	103,100
4	11,300	38,000	10,300	59,600
5	11,000	19,000	10,000	40,000
Subtotal	71,700	278,200	68,200	418,100

Project year	Public law 556 funds	Other funds	Total
On farm:			
1	$2,800	$105,600	$108,400
2	4,800	185,200	190,000
3	2,300	85,600	87,900
4	2,300	85,600	87,900
5	1,800	66,500	68,300
Subtotal	14,000	528,500	542,500
Total	85,700	874,900	960,600

STRUCTURAL MEASURES

The estimated costs to install structural measures, as shown in Tables 1 and 2, include costs for construction, installation services, easements and other installation costs.

The construction cost estimates are based on quantities computed as required for the structures in accordance with the engineering design. The unit costs were determined on the basis of recent contract bid items for similar types of construction work in the area. A 15-percent contingency factor was added to the computed costs. This factor is considered adequate because of the degree of detail employed in the survey and design work for this plan. The total construction cost for structural measures is estimated to be $2,610,100.

Installation service costs include design and construction engineering costs and general supervision of the project installation at all administrative levels of the U.S. Soil Conservation Service. Engineering costs are estimated to be 17 percent of the construction cost. In developing costs for the construction schedule, 12 percent was figured to occur in the year preceding construction and 5 percent during the construction year. The total estimated cost for engineering services is $488,800 including a cost of $10,000 for a hydraulic model study of the junction structures and maintenance ramps, $10,000 for a hydraulic model study of

the debris dam spillway, $20,000 for a model study of the outlet from El Estero, and $5,000 for a geologic investigation of the debris damsite. The other installation services costs, estimated to be 5.5 percent of the construction cost, or $143,900 will be expended during the construction year.

Other installation costs amounting to $947,700 include obtaining rights-of-way and easements, relocating or reconstructing highway and other road bridges and utilities, a state dam filing fee, and local administrative costs which are to be met by non-Federal interests. The total cost of rights-of-way is estimated to be $319,200 which includes $800 per parcel for acquisition costs and 15 percent of the total cost for contingencies. Utility relocations are estimated to cost $324,800 including 15 percent for contingencies. There are 22 gas pipes, 21 power and telephone poles, 16 water pipes, 8 water meters and valves, 4 sewer pipes and 2 buried telephone cables to be relocated. The cost of replacing road bridges and culverts and railroad bridge rails, ballast and ties is estimated to be $165,900. Culvert costs reflect the difference in cost between the structures and the normal channel section if no culverts were required. There are 2 railroad bridges, 5 reinforced concrete bridges, and 25 reinforced concrete box culverts to be replaced. Fencing is estimated to cost $107,900. Public Law 566 will provide all construction funds for replacement of the railroad bridges except the cost of ballast, rails, and ties. The total construction cost of the two railroad bridges is estimated at $57,100 by the Southern Pacific Railroad Company. Costs for the rails, ballast, and ties, other bridges, rights-of-way, easements, fencing, and relocation of utilities must be met by the local sponsoring organizations, but they in turn may be reimbursed by the State of California. Other installation costs, to be borne by the sponsoring agencies, include local administrative costs estimated to be $26,100, and a state dam filing fee of $3,800, computed in accordance with the California Department of Water Resources' Publication "Rules and Regulations Pertaining to Supervision of Dams in California".

The installation of structural measures will be accomplished over a five-year period in accordance with the following schedule:

First Year.—Conduct geologic investigation of debris basin and damsite, and conduct all hydraulic model studies. Complete final designs, prepare plans and specifications, prepare and file records of survey, acquire rights-of-way and easements for El Estero area improvements.

Second Year.—Construct El Estero area improvements. Complete final designs, prepare plans and specifications, prepare and file records of survey, acquire rights-of-way and easements for the Franklin Creek main channel.

Third Year.—Relocate utilities and construct Franklin Creek main channel. Complete final designs, prepare plans and specifications, prepare and file records of survey, acquire rights-of-way and easements for all Franklin Creek tributary channels, the Hog Canyon diversion channel, and the Santa Monica Creek lined channel from El Estero to 230 feet below Foothill Road (lower reach).

Fourth Year.—Relocate utilities and construct all Franklin Creek tributary channels, the Hog Canyon diversion channel, and the lower reach of the Santa Monica Creek lined channel. Complete final designs, prepare plans and specifications, prepare and file records of survey, acquire rights-of-way and easements for the upper reach of the Santa Monica Creek lined channel and the debris dam.

Fifth Year.—Relocate utilities and construct the upper reach of the Santa Monica Creek lined channel and the debris dam.

Estimated total expenditures for structural measures by years are as follows:

COST OF STRUCTURAL MEASURES

	Public law 566 funds	Other funds	Total
1 fiscal year	$58,000	$81,500	$139,500
2 fiscal years	220,100	137,500	357,600
3 fiscal years	1 034 600	359,200	1,393,800
4 fiscal years	1,121,900	320,300	1,442,200
5 fiscal years	808,200	49,200	857,400
Total	3,242,800	947,700	4,190,500

Effects of Works of Improvement

Land treatment measures will reduce sediment production and floodwater runoff. Based on a fire control program that reduces the average annual burn rate in the upper watershed from 1.7 to 0.3 percent and on an on-farm land treatment program that increases soil infiltration rates, sediment production will be reduced by about 37 percent for the 100-year storm. The decrease in runoff ranges from a 6-percent reduction in the floodpeak on the 1-percent hydrograph up to about an 8-percent reduction of the peak on the average annual storm. Other effects of the fire control measures include a reduction in property loss due to fire, and reduced fire suppression costs. On-farm land treatment measures will also increase productivity and thus increase farm incomes. These measures will also reduce the maintenance costs of the proposed structural measures.

The primary effect of the proposed structural measures is to reduce flooding, deposition of sediments, and floodplain scouring. Damage from these causes will be reduced from an average annual of $247,800 to an insignificant amount. The 1,250 acre area of benefits is shown in yellow on the project map. With the proposed works of improvement, flooding will occur only with events that will happen less frequently than one year out of every hundred on a long-term average, and even this flooding will be significantly reduced.

Beneficial effects resulting from project installation will be the construction of houses of better quality and higher price, better and more costly landscaping, and a more rapid development of the area. Greater activity in the business and industrial area will result, as there will be little or no lost time due to flooding.

The protection of the agricultural area will result in secondary benefits stemming from the project, such as greater activity in packing sheds, processing plants, and in transporting these products. Benefits induced by the project are those associated with the additional labor and materials used in the operation and maintenance of the project facilities.

Presently the floodplain is divided into approximately 2,350 ownerships, about 20 percent of which are agricultural and 80 percent of which are urban. Within the next 20 years total landowners should multiply to about two times this number. Counting residents of urban areas, direct beneficiaries now living in the floodplain amount to about 8,200 people. Additional direct beneficiaries are found among owners of the industrial and commercial concerns that may be flooded.

Project Benefits

The total average annual damages including direct and indirect damages caused by floodwaters, and sediment and debris deposition originating within the watershed under present and projected future agricultural and urban development are $321,500 as shown in Table 5. This value was determined from an analysis of inundation damages, and damages from deposition of sediment and debris. Since there will be complete flood protection to the 1-percent event, the benefits to be achieved by the structural measures are essentially the same as the damage amount, less the benefits due to land treatment. Remaining damages from floods larger than the 1-percent event were not evaluated. Some minor changes could occur from these rare events.

Benefits due to damage reduction by land treatment were evaluated at $73,700. These benefits consist of reduction in damages due to floodwater, and sediment and debris deposition. The fire protection and on-farm land treatment measures will improve ground cover and soil structure, thereby increasing infiltration rates and reducing runoff, and sediment and debris deposition.

Direct primary benefits from structural measures were evaluated at $83,800 for agricultural benefits and $207,400 for nonagricultural benefits. Indirect benefits, which were evaluated at 10 percent of direct agricultural benefits, 15 percent of direct urban benefits, and 25 percent of direct primary benefits for railroads and county roads are $30,300, as shown in Table 5.

Secondary benefits stemming from the project were evaluated at 10 percent of all direct, primary benefits. Secondary benefits induced by the project were evaluated at 10 percent of the costs for operation and maintenance. Secondary benefits from a national standpoint have not been considered in the evaluation of benefits. Total secondary benefits will be $23,100 as shown in Table 6.

In addition to the evaluated benefits described above, there are significant unevaluated benefits attributable to the project. Erosion damages such as gullying and floodplain scour have adversely affected many parcels of agricultural land. The project measures will greatly reduce the severity of these erosion

damages. Another important unevaluated benefit will be the improved flow of sand to the beach immediately east of the jetty which will be removed for the construction of the improved outlet from El Estero. This beach is presently being starved of a fresh supply of sand. Other unevaluated benefits attributable to the proposed project are improvements in tax base and a better overall economic well being of people in this general locality.

Comparison of Benefits and Costs

Total evaluated average annual equivalent benefits, including secondary and indirect, to be achieved by the structural measures $270,900. This total includes primary and secondary benefits of $247,800 and $23,100 respectively. The average annual equivalent cost of the measures to be installed in order to produce these benefits is $156,200. The ratio of total average annual benefits to average annual costs is 1.7 to 1.0. The benefit-cost ratio without the inclusion of secondary benefits is 1.6 to 1.0.

Project Installation

All measures proposed within this work plan will be installed according to the schedules previously presented.

LAND TREATMENT MEASURES

The local sponsors, U.S. Forest Service, Santa Barbara County Fire Department, and the California Division of Forestry will be repsonsible for installation of the intensified fire protection measures.

The forest and brush areas in Federal ownereship are part of the Los Padres National Forest, and measures for the protection of these lands will be installed by the U.S. Forest Service.

On non-Federal lands, the California Division of Forestry and the U.S. Forest Service have entered into a cooperative agreement providing for joint repsonsibility in planning and installing fire protection measures. The agreement provides that the State Forester will install or arrange for the installation of measures as specified in this work plan. To fulfill this responsibility, the State Forester will enter into agreements as necessary with the Santa Barbara Soil Conservation District, the Santa Barbara County Flood Control and Water Conservation District, the City of Carpinteria, and the Santa Barbara County Fire Department providing for accomplishment of the work. All rights-of-way necessary for installation of the measures on non-Federal lands will be obtained by the Santa Barbara County Flood Control and Water Conservation District.

The Santa Barbara Soil Conservation District will actively encourage installation of on-farm land treatment measures and will insure that the sign-up of landowners as district cooperators meets Public Law 566 requirements. Landowners will install the measures individually or in small groups during the installation period at an estimated cost of $517,000. The U.S. Soil Conservation Service will accelerate the technical assistance provided to the district. The Soil Conservation Service will also continue to provide normal operating funds to maintain the going program of technical assistance for developing proper farm plans and designing land treatment measures.

STRUCTURAL MEASURES

The schedule for structural measures calls for installation in five fiscal years, and each phase of construction will take place after all rights-of-way have been obtained for that phase.

Each of the sponsoring agencies recognizes its responsibility in accomplishing the plan. The Santa Barbara County Flood Control and Water Conservation District will acquire all rights-of-way and provide funds for all utility relocations and bridge construction other than the replacement of the two railroad bridges. The District has legal authority to exercise the power of eminent domain and will use its power as necessary. It will also let and administer all construction contracts involved in constructing structural measures and bear all costs in administering the contracts; however, the sponsors, at a later date, may request the Soil Conservation Service to administer a specific portion or all of the contracts. All structural measures will be constructed by a contractor selected by competitive bidding.

Arrangements have been made with the Southern Pacific Railroad making the railroad responsible for preparation of designs, specifications, and construction of the Franklin and Santa Monica Creeks railroad bridges.

The U.S. Soil Conservation Service will provide Public Law 566 funds for costs of construction, the engineering costs involved in preparing final contract plans and specifications, *the supervision and inspection of construction*, and certain technical and legal reviews of the project.

Financing Project Installation

The sponsors of this project are financially responsible for the local share of the project costs described in this work plan. The cost sharing of the land treatment measures is found in Table 1. The local share of the cost of structural measures is itemized in Table 2.

The installation cost of the fire control program is $418,100. The $278,200 needed of other Federal funds for installing measures on National Forest land include $117,100 for acceleration beyond the going program. The work on National Forest land will be financed from regular program funds appropriated to the Forest Service.

The $139,900 cost of fire control measures to be installed on non-Federal lands will be financed with $71,700 to be made available from Public Law 566 funds and $68,200 to be provided by local interests. The local share includes the cost of all land rights necessary for installation of fire control measures on non-Federal lands.

The total cost of on-farm land treatment measures for which local interests will be responsible is $517,000. The cost may be met in part through Federal cost-sharing in the United States Agricultural Conservation Program and through credit provided by the United States Farmers Home Administration.

Accelerated technical assistance will be provided within the framework of Public Law 566. The Service will continue to provide normal operating funds to maintain the going program of technical assistance for developing proper farm plans and designing land treatment measures during the installation period.

The Santa Barbara County Flood Control and Water Conservation District has proven its financial capability to meet its obligations in view of the flood control improvements it has constructed throughout the district. The sponsors will be obligated for $947,700 in connection with the structural measures. However, only $26,100 for the administration of contracts, $3,800 for state dam filing fee, $107,900 for fences, and $1,900 for a private road bridge on Hog Canyon diversion channel, will not be subject to reimbursement from the State of California and will be met from local taxation. The California Department of Water Resources will be contacted by the sponsors regarding reimbursement to the County of the $808,000 for acquiring rights-of-way, utility relocations and bridges. The Department has been kept informed of the progress of project formulation and is prepared to meet this obligation subject to its detailed review and approval of the project.

The sponsoring organizations recognize their total financial obligations and the timing shown in the installation schedule and they are ready, as outlined above, to meet this obligation through local tax funds and state reimbursement. These organizations are also aware that the financial and other assistance to be furnished by the U.S. Soil Conservation Service and the U.S. Forest Service is conditioned on the fulfillment of the local obligation presented in this plan and contingent on congressional appropriation.

Provisions for Operation and Maintenance

Operation and maintenance of on-farm land treatment measures will be the responsibility of the individual landowners on whose property the measures are located. The Santa Barbara Soil Conservation District and the U.S. Soil Conservation Service will provide the technical advice and inspections to insure that the measures are being properly maintained.

Land treatment measures installed on Federal lands, consisting of fire control measures, will be operated and maintained by the U.S. Forest Service at an estimated annual cost of $16,100. The sponsors will be responsible for the maintenance of fire control measures on non-Federal land estimated to cost $5,200 annually. They will accomplish this through a joint exercise of power agreement between the sponsors and other local governmental agencies.

In addition to maintaining the land treatment measures proposed in Table 1, provision must be made for prompt emergency treatment of burns on those areas that produce accelerated erosion, debris production, or sedimentation problems. These provisions may include construction of debris basins. For such emergency treatment, state or Federal funds are usually available to assist in watershed restoration.

The lined channel improvements, the debris dam, and the improvements in the El Estero area, including the dredged channels, will be operated and maintained by the Santa Barbara County Flood Control and Water Conservation District at an estimated average annual cost of $14,400. The District is presently operating and maintaining numerous flood channels in the County, including those in the Carpinteria Valley Watershed, by use of tax revenues and is financially able to continue its program in this watershed under project conditions. The estimated costs include allowance for the materials, labor, equipment, and overhead associated with such channel maintenance as weed and brush control, rodent control, after-flood cleanup, and structural repair to concrete lining and structures. These allowances also include costs for removal of debris and sediment from the debris basin and the lagoon area, repair of the debris dam, and removal of sand from the outlet.

Specific maintenance agreements will be executed prior to the issuance of the invitation to bid for any construction contract. The Santa Barbara County Flood Control and Water Conservation District is fully aware of its responsibilities in this regard. Inspection of the works of improvement will be conducted in accordance with provisions of the Operation and Maintenance Agreement. The U.S. Soil Conservation Service and the sponsors will make a joint inspection annually, or after unsually severe floods, for three years following installation of each structure. Inspection after the third year will be made annually by the sponsors. A report will be prepared by them and submitted to the Soil Conservation Service representative.

An "establishment period" of three years after the acceptance of a structural work of improvement is hereby prescribed. During this period, the Service may bear such part of the cost of any needed repairs as is proportionate to the original costs borne by the Soil Conservation Service in the construction of the work of improvement. Specifically excluded from this policy are channels or portions thereof which do not incorporate permanent linings such as concrete riprap, or grouted rock; routine upkeep including replacement of minor or shortlived parts of structures, equipment, or facilities; and repairs determined by the Soil Conservation Service to have been caused by improper operation or that can be considered routine upkeep or both.

TABLE 1.—ESTIMATED PROJECT INSTALLATION COST—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

Installation cost item	Unit	Number			Estimated cost [1]						
					Public Law 566 funds			Other			
		Federal land	Non-Federal land	Total	Federal land	Non-Federal land	Total	Federal land	Non-Federal land	Total	Grand total
Land treatment:											
Soil Conservation Service:											
Cropland	Acre		3,500	3,500					$506,100	$506,100	$506,100
Rangeland	do		800	800					10,900	10,900	10,900
Technical assistance						$14,000	$14,000		11,500	11,500	25,500
Subtotal, SCS						14,000	14,000		528,500	528,500	542,500
Forest Service:											
Fire trails	Mile	0.7	0.8	1.5		2,000	2,000	$3,200	1,800	5,000	7,000
Road betterment, turnouts	do		12.0	12.0		2,000	2,000		1,800	1,800	3,800
Fuelbreaks 300 feet wide:											
All-wheel drive	do	6.0	12.0	18.0		46,200	46,200	58,500	42,000	100,500	146,700
Tractors	do	5.3	1.2	6.5		4,600	4,600	51,700	4,200	55,900	60,500
Tractorway	do	2.2		2.2				3,800		3,800	3,800
Water tanks:											
10,000 gallons	Each	1	3	4		13,300	13,300	8,000	12,100	20,100	33,400
5,000 gallons	do	5		5				17,300		17,300	17,300
Heliport	do	1		1				11,500		11,500	11,500
Equipment, radio	do	1		1				800		800	800
Fire station	do	1		1				35,900		35,900	35,900
Equipment, air, contract						3,600	3,600	7,000	3,300	10,300	13,900
Operation, maintenance, and replacement								80,500		80,500	80,500
Rights-of-way	Acre		627	627					3,000	3,000	3,000
Subtotal, Forest Service						71,700	71,700	278,200	68,200	346,400	418,100
Total, land treatment						85,700	85,700	278,200	596,700	874,900	960,600

[1] Price base 1967.

TABLE 1.—ESTIMATED PROJECT INSTALLATION COST—CARPINTERIA VALLEY WATERSHED, CALIFORNIA—Continued

Installation cost item	Unit	Number			Estimated cost[1]						Grand total
					Public Law 566 funds			Other			
		Federal land	Non-Federal land	Total	Federal land	Non-Federal land	Total	Federal land	Non-Federal land	Total	
Structural measures:											
Construction costs:											
Soil Conservation Service:											
Lined channel improvement	Mile		5.41	5.41		$2,089,900	$2,089,900				$2,089,900
El Estero area improvements	Lump sum					108,500	108,500				10,8500
Debris dam	Each		1	1		411,700	411,700				411,700
Subtotal, construction						2,610,100	2,610,100				2,610,100
Installation services:											
Soil Conservation Service:											
Engineering services						488,800	488,800				488,800
Other						143,900	143,900				143,900
Subtotal, installation services						632,700	632,700				632,700
Other costs:											
Land: Easements, rights-of-way, and acquisition									$319,200	$319,200	$319,200
Administration of contracts									26,100	26,100	26,100
Utility relocation									324,800	324,800	324,800
Bridges, fences, railroad bridge ballast, rails and ties									273,800	273,800	273,800
State dam filing fee									3,800	3,800	3,800
Subtotal, other costs									947,700	947,700	947,700
Total, structural measures						3,242,800	3,242,800		947,700	947,700	4,190,500
SUMMARY											
Subtotal, SCS						3,256,800	3,256,800		1,476,200	1,476,200	4,733,000
Subtotal, Forest Service						71,700	71,700	$278,200	68,200	346,400	418,100
Total, project						3,328,500	3,328,500	278,200	1,544,400	1,822,600	5,151,100

[1] Price base 1967.

TABLE 1-A—STATUS OF WATERSHED WORKS OF IMPROVEMENT—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

Measure	Unit	Applied to date [1]	
		Number	Amount [2]
Land treatment on farm:			
Brush control	Acre	150	$4,500
Conservation cropping system	do	1,000	1,000
Cover and green manure crop	do	5,000	15,000
Crop residue use	do	24,000	120,000
Diversion	Linear feet	80,500	12,100
Grade stabilization structures	Number	560	112,000
Irrigation storage reservoir	do	3	12,000
Irrigation system, sprinkler	do	130	1,300,000
Irrigation system, surface	do	[3] 40	240,000
Irrigation water management	Acre	17,000	51,000
Minimum tillage	do	25,000	25,000
Mulching	do	90	6,800
Range, proper use	do	4,000	4,000
Range seeding	do	150	15,000
Stream bank protection	Linear feet	1,600	9,600
Stream channel improvements	do	25,800	25,800
Wildlife habitat preservation	Acre	1,500	1,500
Wildlife watering facilities	Number	10	200
Update soil survey	Acre		
Subtotal			1,955,500
Land treatment on forest and brush land:			
National forest lands:			
Roads	Mile	0.2	300
Trails	do	10.5	48,000
Fuelbreaks	do	0.3	2,900
Radios	Each	2	800
Subtotal			52,000
Non-Federal lands:			
Trails	Mile	1.5	1,500
Firebreaks	do	5.6	6,900
Subtotal			8,400
Subtotal			60,400
Total			2,015,900

[1] Land treatment on forest and brush land applied during last 20 years.
[2] Price base 1967.
[3] Installed before 1957.

TABLE 2.—ESTIMATED STRUCTURAL COST DISTRIBUTION—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

[Price base 1967]

Structure identification	Installation cost, Public Law 566 funds				Installation costs, other funds			
		Installation service		Total Public Law 566 funds	Easements,[1] right-of-ways, acquisition	Administration of contracts	Total other funds	Total installation cost
	Construction	Engineering	Other					
Channel improvements:								
Franklin Creek:								
Main channel	$834,400	$151,800	$46,100	$1,032,300	$406,100	$8,300	$414,400	$1,446,700
Line A	57,600	9,800	3,100	70,500	70,900	600	71,500	142,000
Line B	62,900	10,700	3,500	77,100	62,400	600	63,000	140,100
Line C	23,300	3,900	1,300	28,500	1,700	200	1,900	30,400
Line D	105,800	18,000	5,800	129,600	61,400	1,100	62,500	192,100
Line E	41,400	7,100	2,200	50,700	4,100	400	4,500	55,200
Line F	81,500	13,800	4,400	99,700	23,900	800	24,700	124,400
Line G	65,800	11,200	3,600	80,600	17,100	700	17,800	98,400
Hog Canyon diversion	59,300	10,100	3,300	72,700	11,000	600	11,600	84,300
Santa Monica Creek:								
Lower reach	438,500	74,600	24,100	537,200	119,500	4,400	123,900	661,100
Upper reach	319,400	64,300	17,800	401,500	44,300	3,200	47,500	449,000
El Estero area improvement	108,500	38,500	6,000	153,000	81,500	1,100	82,600	235,600
Debris dam	411,700	75,000	22,700	509,400	13,900	[2] 7,900	21,800	531,200
Total	2,160,100	488,800	143,900	3,242,800	917,800	29,900	947,700	4,190,500

[1] Includes costs for utility relocations, bridges, fences, and railroad bridge ballast, rails, and ties ($598,600).

[2] Includes State dam filing fee ($3,800).

TABLE 3—STRUCTURE DATA—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

DEBRIS DAM

Item	Unit	Amount
Drainage area	Square miles	3.7
Storm hydrology:		
Frequency	Percent	1
Peak discharge	Cubic feet per second.	3,100
Storage capacity—Debris	Acre-feet	65
Volume of fill	Cubic yards	52,240
Elevation top of dam	Feet	269
Height of dam	Feet	47
Crest width	Feet	15
Crest length	Feet	400
Embankment slopes:		
Upstream		2.5:1.0
Downstream		2.5:1.0
Principal spillway:		
Type structure: Reinforced concrete conduit with multistaged inlet riser		
Elevation top of riser	Feet	252
Emergency spillway:		
Type structure: Rectangular reinforced concrete chute spillway		
Crest elevation	Feet	252
Crest width	Feet	30
Crest length	Feet	65
Emergency spillway hydrograph:		
Storm rainfall (12-hour) [1]	Inches	12.2
Storm runoff	Inches	7.5
Discharge rate (peak)	Cubic feet per second.	4,600
Freeboard Hydrograph:		
Storm rainfall (12-hour) [1]	Inches	29.3
Storm runoff	Inches	23.7
Discharge rate (peak)	Cubic feet per second.	13,600
Class of structure		C

[1] Peak flow from 12-hour storm more critical than from 6-hour storm.

TABLE 3-A—STRUCTURE DATA—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

BRIDGES

Location	Number of lanes	Width, feet	Type	Length, feet	Height, feet
Franklin Creek:					
Main channel:					
S.P.R.R	[1] 1	16	Reinforced concrete	35	6.5
7th Street	2	40	do	36	7.5
Malibu Drive	2	60	do	35	7.5
Private (2)	1	10	Reinforced concrete box culvert	12	7.0
Foothill Road	2	25	Reinforced concrete	17	5.5
Private	1	10	Reinforced concrete box culvert	8	6.0
Private (5)	1	10	do	10	6.0
Private (2)	1	10	do	8	5.0
Private	1	10	do	4	3.0
Line A:					
7th Street	2	60	do	8	6.0
9th Street	2	40	do	8	6.0
Carpinteria Avenue	2	35	do	8	6.0
Private	1	11	do	8	6.0
Do	1	13	do	8	6.0
Line D: Foothill Road	2	35	do	10	6.0
Line F:					
Private (3)	1	15	do	8	5.0
Private	1	10	do	5	4.0
Line G: Private	1	15	do	7	4.0
Hog Canyon diversion:					
Private	2	34	do	6	3.0
Casitas Pass Road	2	42	do	6	3.0
Private	2	35	do	5	5.0
Santa Monica Creek:					
S.P.R.R	[1] 1	16	Reinforced concrete	28	7.1
Carpinteria Avenue	2	35	do	28	7.0
Foothill Road	2	30	do	20	7.5

[1] Single tracks.

TABLE 3-B—STRUCTURE DATA—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

CHANNELS

Reach	Reach length (miles)	Watershed area (square miles)	Planned channel capacity (cubic feet per second)	Design bottom width (feet)	Side slope	Design depth (feet)	Maximum velocity [1] (feet per second)	Volume of excavation (cubic yards)	Volume of embankment [2] (cubic yards)
Franklin Creek:									
Main channel	1.99	4.06	100 to 3,500	4.0 to 35.0	0	1.90 to 5.55	13.2 to 22.8	51,990	17,100
Line A	.21	.19	300	8.0	0	4.67	8.1	1,520	770
Line B	.23	.23	300	8.0	0	4.08	9.2	4,170	640
Line C	.07	.84	1,050	10.0	0	5.10	20.6	1,310	300
Line D	.40	.85	1,050	9.5	0	4.43	25.0	3,630	1,280
Line E	.20	.31	400	8.0	0	2.86	17.5	1,920	400
Line F	.28	.36	300 to 450	5.0 to 8.0	0	2.55 to 4.08	12.4 to 23.5	5,270	960
Line G	.29	.39	500	6.5 to 8.5	0	2.88 to 3.53	16.6 to 26.7	4,430	690
Hog Canyon diversion	.42	.14	200	5.0	0	2.13 to 3.31	12.1 to 18.8	1,590	680
Santa Monica Creek	1.32	3.68	3,100	20.0 to 46.0	0	5.20 to 5.30	21.5 to 48.5	38,750	5,650
El Estero [3]	1.32	9.08	----------	75.0 to 200.0	2.5	3.00 to 14.00	----------	68,740	24,840

[1] Maximum velocity of 30 feet per second used for sizing concrete lined channels.
[2] Includes structural and compacted backfill.
[3] Pilot channels only.

TABLE 4—ANNUAL COST—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

[Price base 1967]

Evaluation unit	Amortization of installation cost [1]	Operation and maintenance cost [2]	Total
Lined channels	$115,800	$5,600	$121,400
Debris dam	18,000	4,700	22,700
El Estero area	8,000	4,100	12,100
Total	141,800	14,400	156,200

[1] Amortized over a 100-year period at 3¼ percent interest.
[2] Adjusted normalized.

TABLE 5—ESTIMATED AVERAGE ANNUAL FLOOD DAMAGE REDUCTION BENEFITS, CARPINTERIA VALLEY WATERSHED, CALIFORNIA

[Price base adjusted normalized]

Item	Estimated average annual dameag		Damage reduction benefit
	Without project	With project [1]	
Floodwater:			
Agricultural			
Orchard	$13,000	0	$13,000
Nurseries	33,600	0	33,600
Garden and truck crops	200	0	200
Subtotal agricultural	46,800	0	46,800
Nonagricultural:			
Residential	81,500	0	81,500
Commercial	15,600	0	15,600
Industrial	200	0	200
Public service	2,700	0	2,700
City streets, State highway, and county flood control	10,000	0	10,000
Railroad	3,700	0	3,700
County roads	3,700	0	3,700
Subtotal nonagricultural	117,400	0	117,400
Subtotal floodwater	164,200	0	164,200
Sediment and debris:			
Agricultural areas	37,000	0	37,000
Nonagricultural areas	90,000	0	90,000
Subtotal	127,000	0	127,000
Indirect	30,300	0	30,300
Total	321,500	0	321,500

[1] Damages from floods larger than the 1-percent event were not evaluated.

TABLE 6.—COMPARISON OF BENEFITS AND COSTS FOR STRUCTURAL MEASURES—CARPINTERIA VALLEY WATERSHED, CALIFORNIA

Evaluation unit	Average annual benefits flood prevention [1]			Average annual cost [2]	Benefit–cost ratio
	Damage reduction	Secondary	Total		
Project structural measures	[3] $247,800	$23,100	$270,900	$156,200	1.7:1.0

[1] Adjusted normalized.
[2] Construction costs 1967. Operation and maintenance costs adjusted to normalized base.
[3] In addition, it is estimated that land treatment measures will provide flood damage reduction benefits to$7 3,700 annually.

INVESTIGATIONS AND ANALYSIS

Project Formulation

PARTICIPANTS

This watershed work plan incorporates the practical experience of many people who live within the Carpinteria Valley Watershed. The Santa Barbara Soil Conservation District's intimate knowledge of the flood problem, the technical help of the Santa Barbara County Flood Control and Water Conservation District, and the experience of the Soil Conservation Service office in Santa Barbara have all greatly facilitated formulation of the work plan. Technical knowledge was provided by the California Division of Soil Conservation, the U.S. Soil Conservation Service, the U.S. Forest Service, the California Division of Forestry, the U.S. Army Corps of Engineers, and other Federal, state, and local organizations.

OBJECTIVES

The objectives of the local people are to establish a program of land treatment practices and provide structural improvements that will maintain and protect the watershed, reduce the incidence and hazard of fire, and prevent flooding.

The desires of the local interests were given full consideration in the development of this plan and their suggestions were included in the plan, insofar as they were economically feasible and within the limitations of Public Law 566.

LAND TREATMENT MEASURES

The land treatment measures, with the exception of the intensified fire protection program, were developed by technicians of the U.S. Soil Conservation Service and are based on the technical standards that they have developed from years of experience. The basic data consisted of a detailed tabulation of land within the watershed that showed land classes, uses, and capabilities. From this, an inventory was made of the conservation needs and the corresponding land treatment measures required to fill these needs. Also inventoried at this time were the land treatment measures previously installed. This inventory is shown in Table 1A. The list of needed measures was then reduced to include only those that will have a measurable effect upon the production of floodwater and sediment or will be necessary to achieve the full benefit of the planned structural measures. The total conservation need quantities were next reduced by the amount of measures presently installed and then further reduced to reflect the amounts of practices that can reasonably be accomplished during the project installation period with the optimum technical staff. The cost of the land treatment program by the major land uses is shown in Table 1. The accelerated program will require more technical assistance than the present staff could provide during the installation period, and costs for the additional assistance will be met from Public Law 566 funds.

The intensified fire protection program developed by the U.S. Forest Service in cooperation with the California Division of Forestry and the local sponsoring agencies represents many years of experience in controlling and suppressing fires in this area. The development of the plan called for a careful review of available information on past fire incidence, causes, damages, extent and location of burns, rate of spread, and intensity. The potential fire hazard and risk were determined by evaluating such factors in the existing fire control program as detection, communications, travel times, attack forces, and equipment as to their adequacy based on projected land use.

Present access to and within the upper watershed is poor. The betterment of 12.0 miles of roads, 1.5 miles of fire trails, the installation of one heliport, and increased use of helicopters will improve access and greatly reduce travel time to fires that may start within the watershed. Recent experience has shown a need for protection from fires originating outside the watershed. Because of a lack of natural control lines, it will be necessary to provide man-made lines to break the watershed into small units within which wildfires can be contained and easily controlled. The installation of a grid of 24.5 miles of fuel-breaks along with an additional water storage facility will provide the tools to exclude outside fires and confine fires within the watershed to a much smaller area should they escape initial attack. This combination of faster initial attack and additional suppression aids will reduce considerably the present annual burn rate and damage potential in the watershed. With installation of the planned land treatment measures,

it is expected that the present average annual burn rate of 1.7 percent will be reduced to 0.3 percent. This decrease in burned area will be directly reflected in reduced runoff and debris movement when storms occur over the watershed. In addition to the reduction of floodwater and sediment damages, maintenance costs of structural works installed in the lower watershed will be reduced.

STRUCTURAL MEASURES

The basic objective of the structural works of improvement included in this work plan will be to provide once-in-100-year flood protection to the watershed. This level of protection conforms to the policies set forth by the California Soil Conservation Commission. The objective is met without regard to the relative Federal and non-Federal costs and fulfill, insofar as sound economic and engineering practice will allow, the desires of the sponsoring groups.

In the formulation of this project, consideration was given to several alternative methods of control. Discussion of these plans is found in another section of this report entitled "Alternative Channel Studies". Care was exercised to insure that the plan which is proposed is compatible with maximum future development in the area.

Hydrologic Investigation

RAINFALL-RUNOFF

There is one rain gage within the watershed and several others nearby. Data from these stations were tested for reliability and analyzed. Isohyets of average annual precipitation were developed for the area from these data. These isohyets were employed in conjunction with depth-duration-frequency data of key rain gages to obtain watershed precipitation.

Studies showed the 12-hour storm to be typical as well as the most critical for the watershed. Storm Distribution Pattern "C" (as shown in the U.S. Soil Conservation Service National Engineering Handbook Number 4) and Antecedent Moisture Condition II appear to be representative of the design event.

Design runoff curve numbers were developed using watershed hydrologic soil groups and projected future land use. Acceptable design flow values consistent with statistically analyzed gage records were obtained using these curve numbers.

DESIGN HYDROGRAPHS

Design hydrographs were developed and routed by computer utilizing the U.S. Soil Conservation Service "Computer Program for Project Formulation—Hydrology, Technical Release No. 20". The peak discharges for each reach resulting from this calculation were used for channel design. These values closely approximate discharges computed independently by the Santa Barbara County Flood Control and Water Conservation District using the unit graph principle.

The emergency and freeboard hydrographs for the debris dam were calculated using U.S. Soil Conservation Service criteria found in Chapter 21, Hydrology Section of the National Engineering Handbook, and Engineering Memorandum—27 (Revised).

DEBRIS DETERMINATION

Studies indicate that the burn rate for present watershed conditions is 1.7 percent per annum and the burn rate following installation of land treatment measures will be 0.3 percent per annum. Quantities of debris to be expected on Santa Monica Creek at the debris basin for various frequencies and burn rates of 1.7 percent and 0.3 percent per annum were calculated using "A New Method of Estimating Debris-Storage Requirements for Debris Basins" by Fred E. Tatum, U.S. Corps of Engineers.

The design storage chosen for the debris basin will be for the 1-percent level of protection (60 acre-feet) plus two years of average annual debris trapped in the basin (5 acre-feet).

The nature and distribution of the debris are described under "Geologic Investigations".

FLOODING

Floods of significant magnitude are known to have occurred in the Carpinteria area in 1862, 1875, 1877, 1883, 1888, 1907, 1909, 1911, 1914, 1918, 1927, 1938, 1941, 1943, 1952, 1955, 1958, 1962, April 1965, November 1965, December 1966, and January 1967. These dates and flood data of a few of them have been sub-

stantiated by the Division of Soil Conservation and the Santa Barbara County Flood Control and Water Conservation District with newspaper accounts, photographs, and interviews with local citizens and agencies.

During the period of study, the November 1965 flood occurred. As a consequence, the Division of Soil Conservation field investigated the flooding in detail. It was possible to define duration, depth and area of inundation with a great degree of accuracy. This information and other historic flood data clearly illustrated the flood regimen of the watershed.

Based on statistical analysis of known past events, the frequency level of incipient flooding was determined to be 20 percent. The frequency and area inundated of the several floods studied in detail are summarized in the following table:

Flood	Frequency (percent)	Area flooded (acres)
1914	1.0	1,250
1952	3.5	554
November 1965	9.0	179
1962	13.5	100
April 1965	37.0	10

LAND TREATMENT

The fire control and on-farm land treatment program developed for installation during the project period was reviewed for its effects in reducing the runoff. Practices reducing both rate and volume of runoff were selected, and design flows were reduced accordingly.

Geologic Investigation

Two categories of geologic inquiry were made during these investigations. The first concerned the status of erosion and sedimentation in the Santa Ynez Mountains and on the floor of the coastal plain. The second division of studies was directed to the effect of geologic conditions on proposed structural improvements.

EROSION AND SEDIMENTATION

Surveys to determine the amount of sediment delivered during the storm of November 9–10, 1964, were made on two basins formed by highway fills in a recently burned area 14 miles west of the Carpinteria Valley Watershed. Data obtained from these measurements were combined with the hydrologic analyses, and debris production for various storm frequencies and burn conditions was determined. The methods and procedures used in this study are described in "Hydrologic Investigation".

Streams in the Carpinteria Valley Watershed were inspected on aerial photographs and in the field to determine the nature of the erosion and sedimentation potential. During the course of these field inspections, the sedimentation caused by the great flood of 1914 was reviewed and the possibility of a recurrence of this devastating event was considered in light of recent urban and agricultural development that has taken place on the floodplain.

Sediment damages used in the economic evaluation were determined from the estimates of debris delivered to the debris dam on Santa Monica Creek. The volume of this sediment was determined in the hydrologic investigation. Its nature and percentages of clay and silt, sand, and boulders, cobbles, and gravel were determined by areal analysis of the watershed from a geologic map. The material reaching the floodplain was distributed down the fan through three delineated zones of decreasing gradient. Resultant deposition and erosion were estimated and volumes of each material were estimated for each of the three zones.

GEOLOGY FOR STRUCTURES

Channelization of 5.4 miles of existing streams and ditches is proposed in this work plan. High velocities and right-of-way considerations dictate the use of concrete lining in these channels. The soils traversed by the improved channels are primarily noncohesive, however, localized areas of sandy to lean clays are located

in certain areas of the Franklin Creek channel. The largest of such areas is probably in the vicinity of the Line C and Line D intersections with Franklin Creek channel. Subsurface drainage will be adequately achieved by following the usual drain and weep hole design.

A debris dam is proposed on Santa Monica Creek about one-half mile above Foothill Road. The site is located on a fanglomerate deposit of middle to late Pleistocene age which comprises a body of moderately consolidated conglomerate with occasional interbeds of sandier material. The formation includes blocks of hard sandstone up to 10 feet in size derived from the Coldwater and Sespe Formations. These geologic units, of late Eocene and Oligocene age, respectively, underlie the bulk of the upper watershed. The Casitas Formation underlies, at probably shallow depth, the fanglomerate and is of similar lithology and origin. However, the Sasitas has been involved in the recent folding of the Santa Ynez Mountains and dips more steeply to the south than the fanglomerate. It is possible that the Casitas Formation will be encountered in foundation preparation for the debris dam.

No exploration was carried out at the debris damsite. The large boulders and generally coarse gravelly nature of the fanglomerate preclude the use of the normally employed drilling and test pitting devices. Exploration could be accomplished by the use of a very large dozer aided by an orange peel-equipped crane; however, the nature of the material underlying the channel can be determined with sufficient accuracy from present knowledge, and such exploration is not considered necessary at this time. A further consideration is that there would be considerable disturbance of the stream channel and any infrequent runoff that occurred between the time of exploration and project installation would carry much of the disturbed material out on the floodplain causing additional, largely unnecessary, damage. The design-stage exploration of the damsite can be carried out prior to preparation of final designs.

It is proposed, on the basis of site conditions and their similarity to already constructed Corps of Engineers dams in the vicinity, that five feet of channel material be excavated beneath the entire dam. That would, of course, include the removal of all large boulders that project into the excavation. A toe drain will be provided to insure that the phreatic line will remain within the dam.

The dam will be a modified, zoned earthfill structure consisting of an impervious core with semipervious outer zones. The upstream face of the dam will be riprapped with cobbles and small boulders obtained from foundation excavation for the dam, and will be placed against a one-foot thick filter. The sandy clay (CL) core material and silty sand (SM) outer zone material will be available from channel excavation.

The spillway will be over the right abutment in sandy, gravelly materal, probably recent stream deposits. The spillway will be fully lined with concrete, and on unusual problems of seepage pressure or bearing capacity should develop.

Economic Investigation

GENERAL

The primary objective of the economic investigation was to establish the nature and extent of flood damages, to interpret their magnitude into monetary values, and to determine the benefits that would accrue from the reduction of such damages as a result of providing flood protection.

Flood damages which have occurred from several historical flood events were documented by a detailed damage survey and from newspaper accounts, photographs, books, diaries, and other sources. Also, the expected damages from a flood event of a major magnitude were calculated by a synthetic damage analysis.

Flood damages were calculated on a basis for determining benefits to be obtained by the installation fo land treatment measures and structural works of improvement in the watershed. Flooding, sedimentation and debris damages were translated into dollar damage values. This translation required determining the present and future land uses in the flood plain during the life of the project and evaluating the damages expected under these uses if no improvements were made. Specific types of damages were evaluated for agricultural and urban development from the various size floods. These values were integrated over a 100-year period in order to determine the average annual dollar damage.

The damage reduction attributed to land treatment is subtracted from the evaluated damages to arrive at the damages subject to reduction by structural measures. The actual damages prevented by the structural measures are the benefits attributed to these measures. These project benefits were evaluated over a 100-year period of analysis using an interest rate of 3¼ percent.

LAND USE EVALUATION

Present land use within the flood plain is agricultural and urban. The agricultural area of the flood plain is devoted to lemon and avocado groves, garden and truck crops, and nurseries. The groves consist of predominantly mature trees that produce high yields of excellent quality fruit. Garden and truck crops produce high yields of high quality produce due to good soils and a mild climate. Since smog and urban sprawl have driven nurseries from the Los Angeles basin, three nurseries have been relocated in the Franklin and Santa Monica Creeks flood plain. At least two more nurseries are planned for this area. The County General Plan shows that the future use of most of the Carpinteria Valley is to remain in agriculture.

The floodplain also includes a portion of the developed sections of the City of Carpinteria and areas north of U.S. Highway 101. While there are a few small areas of agricultural use remaining below U.S. Highway 101 within the present Carpinteria city limits, all of this area will be densely developed in the future with much of the present low valued areas subject to urban renewal projects. Urban development, mostly residential, has spread northward from the present City of Carpinteria and U.S. Highway 101 and covers former agricultural areas. Much of the new urban development will take place in the floodplain subject to inundation in major flood events. It is in this latter area that urbanization is taking place. The urban land use in the floodplain includes commercial, industrial, residential, schools, parks and other private and public properties. Future land use projected for about a 20-year period by the Santa Barbara County Planning Department indicates that moderate urban development will continue during this period.

In estimating flood damages, the present and projected land uses, as briefly described above, were used as the base.

TYPES OF DAMAGE

Damages from floodwater inundation, and sediment and debris deposition were evaluated for agricultural and urban land uses under projected development conditions. These damages were evaluated for conditions before and after the installation of land treatment and structural measures In addition, indirect damages associated with the flooding were included to arrive at the total damages to be prevented by the project structural measures.

Agricultural damages

The major damage in the agricultural areas is the cost of removal of sediment and debris deposition. Water-borne diseases in the citrus and avocado groves caused extensive damage. Weed control, disease prevention, and additional tillage after floods are costly practices.

In determining sediment and debris damages, the following were taken into account: (1) total volume of sediment and debris produced before and after land treatment by the magnitude of storm events; (2) amounts deposited on agricultural land; (3) costs of removal; (4) conversion of the costs in terms of the Federal adjusted normalized base; and (5) future builddown in damages from the declining agricultural acreage.

The tree loss damage due to disease, weed control costs, tillage costs, and disease control costs were evaluated by multiplying the acreage affected times the value of trees per acre on the area affected for the magnitude of storm events. These dervied damages were converted to reflect the adjusted normalized price base, and they were discounted for the projected decline in citrus and avocado acreages and garden and truck cropland.

Nonagricultural damages

Flood damages to urban properties are caused by inundation, sedimentation and debris deposition. In determining the damage from inundation, the following were taken into account: (1) structural values of urban properties; (2) peak discharges; (3) depths of inundation; (4) areas affected by storms of different magnitudes; (5) damageable values for various urban properties by depths

of inundation; (6) conversion of damage amounts to reflect the adjusted, normalized price base; and (7) future buildup in damages from the increasing urbanization.

The damage from sediment and debris was evaluated in the same manner as on agricultural land, except a slightly higher unit cost for disposal of sediment was used. Also, the increase in disposal quantity was taken into account for the projected urban growth.

The evaluation of flood damages to urban properties utilized the techniques described in "A Study of Procedure in Estimating Flood Damage to Residential, Commercial, and Industrial Properties in California", prepared by the Stanford Research Institute, January 1960.

BENEFITS ATTRIBUTED TO LAND TREATMENT MEASURES

The benefits attributed to land treatment measures will consist of reduction in floodwater and in deposition of sediment and debris. These benefits were evaluated from the associated reduction in flooded area, and sediment and debris movement determined by the hydrologic and geologic investigations. The reduction in area flooded was translated into monetary values by assuming damages are directly proportional to flooded area. Benefits due to the reduction in sediment and debris production were based on an analysis of average annual debris production with and without land treatment, and an appropriate unit cost for removal and cleanup.

The recommended land treatment measures, shown in Tables 1 and 1A, will provide a flood damage reduction of 22.4 percent of total damages. The total average annual benefit attributed to land treatment measures was estimated to be $73,700, of which $21,900 will be from a reduction of floodwater damage and $51,800 from a reduction of sediment and debris damage.

BENEFITS ATTRIBUTED TO STRUCTURAL MEASURES

The proposed works of improvement will prevent flood damages up to the 1-percent event. The reinforced concrete channels, in conjunction with the debris dam, will effectively contain the 1-percent peak discharge from the upper watershed. Side inlets will allow local drainage to enter the channel.

The benefits attributed to the project structural measures were considered as the next increment of damage reduction after land treatment. Therefore, the total annual flood damages of $321,500 less the total annual land treatment benefits of $73,700 leave remaining benefits of $247,800 which are attributed to the project structural measures.

Secondary benefits attributed to the structural measures were computed in accordance with Chapter 11 of the Economic Guide. The value of local secondary benefits stemming from the project was considered to be 10 percent of the direct primary benefits. Secondary benefits induced by the project were considered to be 10 percent of the project operation and maintenance costs. With secondary benefits of $23,100, the total average annual benefits attributed to project structural measures were estimated to be $270,900.

Surveys

The Carpinteria Sanitary District supplied topographic maps of the entire lower watershed including all agricultural lands in the foothills of the Santa Ynez Mountains. These maps were prepared and updated by photogrammetric methods from aerial photographs dated November 29, 1965 to a scale of 1 inch= 200 feet and with a 5-foot contour interval. The ground control was based on U. S. Coast and Geodetic Survey datum. This topography was utilized in designing the channel system and the debris dam.

Topographic maps covering the area of the Franklin Creek channel from the railroad to a point near Foothill Road were also prepared by photogrammetric methods by the Santa Barbara County Flood Control and Water Conservation District in October 1960, to a scale of 1 inch=100 feet and at a contour interval of 1 foot. The District supplied profile and cross sections, including existing bridge data, for the lined portion of Santa Monica Creek up to Foothill Road, for the entire lined portion of the main Franklin Creek channel, for 2 of the 7 tributary channels and for the Hog Canyon diversion channel. A detailed survey of the El Estero outlet was also prepared by the Flood Control District.

Detailed plans and surveys of existing storm drains within the watershed were utilized, as were California Division of Highways plans of roads.

A survey entitled "Soils of Southern Coastal Area, Santa Barbara County", prepared by the University of California Agricultural Experiment Center at Berkeley, was utilized in hydrologic studies.

A survey entitled "Geology of the Central Santa Ynez Mountains, Santa Barbara County, California", prepared by the California Division of Mines and Geology, was utilized in geologic studies.

Information concerning the location of utilities was gathered from seven utility companies and field checked.

Hydraulic Design

GENERAL

The plan for structural measures within the watershed includes a debris dam, 5.4 miles of concrete-lined channels, 1.3 miles of dredged channel, 0.8 mile of dike, and improvements to the outlet from El Estero into the ocean. The debris dam, located below a historical debris producing area, will help prevent large material from entering the Santa Monica Creek channel. The proposed lined channels will convey the 1-percent design flows through agricultural and urban areas into El Estero. A pilot channel will be dredged through El Estero, and its outlet into the ocean will be realigned and enlarged. A rock seawall will be constructed to help keep the outlet from being plugged by littoral sand drift.

LINED CHANNELS

Due to the steep slopes and resulting high velocities encountered in the design, it was necessary to provide reinforced concrete-lined channels above the Southern Pacific Railroad bridges. A rectangular section was selected for these channels because of the extremely high design velocities and because of the high cost of right-of-way. The channels will be located almost entirely below natural ground surface with the top of the channel walls at or near ground surface. Theoretical velocities of flow were found to exceed 48 feet per second in the upper reaches of Santa Monica Creek, however, the channel was sized for a maximum velocity of 30 feet per second in accordance with Chapter 6 of the Far West States Engineering Design Standards of the U.S. Soil Conservation Service. Chapter 6 also dictated the use of a Manning's roughness coefficient "n" of 0.014 in the design of the channel. Flows in all reaches will be at supercritical velocities and additional wall height will be provided for superelevation of water surface at all curved sections. For the air entrained upper reach of Santa Monica Creek, a channel was designed with a bottom width of 20 feet. A transition from 46 feet at the bottom of the debris dam emergency spillway to 20 feet will take place in the upper 320 feet of the channel. The lower reaches of the Santa Monica Creek channel will have velocities of slightly less than 30 feet per second and an unbulked design flow of 3,100 cubic feet per second. The bottom width will vary from 20 to 28 feet in these reaches and the depth of channel including freeboard will vary between 7.0 and 7.5 feet for the entire channel.

The lined channels on both Santa Monica Creek and Franklin Creek will terminate 100 feet below the Southern Pacific Railroad bridges. Supercritical flows on each of these creeks will dissipate their energy in a hydraulic jump as they reach the water stored in El Estero. Water profiles were computed for various combinations of discharge and water depth in the lagoon to establish the location of these jumps relative to the railroad bridges. In all cases investigated, the jump occurred downstream from the bridge. This condition is favorable for maintenance purposes because transported sediment will not be deposited under the bridges where removal is costly.

On Franklin Creek, the intercepting tributary channels will allow flows to reach the main channel with no damage due to flooding along the tributaries. The alignment of five tributary channels will be curved sharply immediately above their confluence with the main channel. This will make the two flows at the junction nearly parallel without severing any parcel of land. Since these small-radius curves together with high velocity flows would require superelevation greater than the maximum allowable according to Chapter 6 of the Far West States Engineering Design Standards, a concrete slab cover will be provided for the curved portions of these channels.

The Hog Canyon diversion channel has been in existence for many years and is generally hydraulically adequate to convey the design 200 cubic feet per

second. Improvements required consist of 0.42 mile of concrete-lined channel and replacement of three box culverts.

Ramps into the channels will be provided for maintenance equipment access. Structures similar to these, under similar hydraulic conditions, were designed and constructed by the Soil Conservation Service for a channel improvement in Contra Costa County and no hyradulic or maintenance problems have developed.

DEBRIS DAM

The proposed debris dam will consist of a 47-foot high, earthfill dam, a principal spillway with a multi-staged drop inlet, and an emergency spillway over the right abutment. The basin will have a debris storage capacity of 65 acre-feet, assuming deposition on a slope of 0.7 of existing channel slope as suggested in Appendix H of the "Los Angeles County Flood Control District Reports on Debris Reduction Studies for Mountain Watersheds of Los Angeles County."

The principal spillway is designed to pass low flows and to discharge all stored water following larger storm events. The intake riser will have openings at various levels so that the basin can be emptied even if debris covers the lower inlets. This will insure accessibility to make any structural repairs to the embankment which may be necessary after major storms.

The emergency spillway was generally designed in accordance with U.S. Soil Conservation Service National Engineering Handbook Number 14. The spillway crest will be placed at the top of the design debris storage and will pass the freeboard hydrograph which was computed assuming the dam to be a Class (C) structure. No appreciable reduction in peak discharge will occur due to the storage in the debris basin.

EL ESTERO IMPROVEMENTS

El Estero is a tidal flat of approximately 350 acres, and floodwaters from Santa Monica Creek and Franklin Creek must pass through it on their way to the ocean. The shoreline in this area is disposed in an east-west direction as shown on the project map, and the littoral drift is eastward.

The outlet from El Estero is a channel flowing eastward at an angle of about 15 degrees with the shore. On the east side of the outlet, a jetty has been built which causes the east bank of the outlet channel to extend about 250 feet further seaward from the west bank. Since the littoral drift is eastward and the east bank of the outlet channel is longer, the outlet channel fills with sand.

The project will include construction of a seawall along the west side of the outlet channel. The seawall will extend far enough seaward to direct the eastward littoral drift around the mouth of the outlet, thus preventing the outlet from being filled with sand.

A model study will be conducted prior to final design to determine optimum alignment and configuration of the channel. Any modifications of design which may occur as a result of the model study should have little effect on the cost of the channel improvements.

A computer was used to calculate a series of backwater curves from the ocean through the outlet channel for various combinations of flow, tide depths and channel bottom widths. From this backwater study, a design bottom width of 200 feet was selected and a stage-discharge relationship established as required for the routing of flood flows through El Estero. The storage in El Estero will be utilized to reduce the peak of the flood hydrograph thus reducing the design width of the outlet. The 1-percent design hydrographs for Franklin Creek, Santa Monica Creek, and the drainage area west of Santa Monica Creek were combined resulting in a peak inflow to El Estero of 6,500 cubic feet per second. This combined hydrograph was routed against a tidal hydrograph assuming the peak channel flow to coincide with the higher high tide at half tide level. Results of the routing indicate a peak discharge into the ocean of 5,300 cubic feet per second will occur with a maximum stage in El Estero of 5.2 feet.

Structural Design

LINED CHANNELS

All lined channels will be constructed of reinforced concrete and have a wall and invert slab thickness of 10 inches. The slab thickness will include an

extra 1 inch of concrete wearing surface to protect against abrasion from sediment laden flows in the channel.

A gravel filter 6 inches thick will be placed underneath the slab and extend 2 feet up both sides of the channel section in the 1.5-foot space between the outside wall of the channel and the wall of the excavated ditch. The filter and weep holes in the walls will be provided to relieve any hydrostatic pressures that might develop.

Five of the junction structures at the confluences of the tributaries and main channels will have reinforced concrete cover slabs 6 inches thick and 50 feet long.

The upper end of each tributary channel will have an inlet transition with adequate cutoff to prevent damage to the inlet structure.

The ramps into the channels for the access of maintenance equipment will be reinforced concrete structures, the alignment of which will be parallel and adjacent to the channel alignment. Space in which equipment can turn around will be provided at the bottom of each ramp. A 13-foot-wide maintenance road will be provided on reaches of Franklin Creek and its tributaries where the channel bottom will be too narrow for access of maintenance equipment. The reach on Santa Monica Creek above Foothill Road will have a maintenance road on each side of the channel for access to the debris dam.

Twenty-six drainage inlets will be provided to allow local drainage and storm runoff to enter the proposed channels at specific locations. Additional inlets will be provided wherever existing lateral drains are blocked by construction.

Existing bridges were considered structurally adequate if the designed channel would not so expose the substructure as to endanger the stability of the bridge. The Seventh Street and Malibu Drive Bridges over Franklin Creek, the Carpinteria Avenue and Foothill Road Bridges over Santa Monica Creek, and the two railroad bridges will be reinforced concrete structures. All other proposed bridges will be standard reinforced concrete box culverts found in the California Division of Highways Standard Plans.

DEBRIS DAM

The availability of construction materials dictated the selection of a zoned earthfill section for the dam. The central portion of the dam will be constructed with impervious material and the outer portion with a semipervious material. All earthfill material for the dam will be obtained from the excavation for the lined channels and will be stockpiled pending construction of the dam. A 1-foot layer of filter material will be placed on the upstream face of the semipervious material. A 2-foot layer of riprap will be placed on top of the filter material. A toe filter will be provided for the entire length of the dam.

The embankment will have a top width of 15 feet and will be constructed with upstream and downstream side slopes of 2.5 to 1.0. The top width was computed in accordance with the criteria found in Engineering Memorandum Number 27, U.S. Soil Conservation Service. The embankment slope is based on a preliminary geologic investigation of the material to be placed. Further geologic investigations will be required prior to the final design to better establish the characteristics of foundation conditions of the damsite.

The principal spillway will consist of a 3-foot diameter reinforced concrete pipe through the embankment with a 3-foot concrete inlet riser. A concrete footing will be placed at the base of the riser. The 3-foot diameter chosen is the minimum size recommended by the California Division of Safety of Dams. The riser, the top of which will have an elevation equal to the crest of the emergency spillway, will have hooded inlets at various elevations and a cap on the top to prevent floating debris from entering the conduit. Since the conduit will discharge into a concrete lined channel, no stilling basin will be provided.

The emergency spillway will be a rectangular, reinforced concrete chute located at the right abutment. It will have a crest length of 65 feet, an average wall height of 2.5 feet, and a slope of 0.186. The chute will transition at an angle of five degrees resulting in a channel width at the bottom of the chute of 46 feet. The 300-foot long approach channel to the spillway will have an earth-lined trapezoidal section with a bottom width of 65 feet and side slopes of 2 to 1. Section 14 of the Soil Conservation Service National Engineering Handbook was utilized in all aspects of the spillway design except the chute transition. Ten thousand dollars is provided for a model study of this structure. The structural design of the inlet weir was based on methods prescribed in Engineering Standard Drawing Number 82, entitled "Chute Spillways: Straight Inlets". The walls and invert slab of the chute will be 12 inches thick.

EL ESTERO IMPROVEMENTS

The proposed channel through El Estero will be constructed with a bottom width ranging from 100 to 150 feet and side slopes of 2.5 to 1.0. The outlet channel will have a bottom width of 200 feet. The side slopes are based on a surficial inspection of the material involved. A more detailed investigation will be required in final design.

The proposed seawall will consist of 5-ton rocks and will be 10 feet high with a base width of about 14 feet. It will connect to an existing seawall of the same dimensions. However, the size of rocks will be considerably greater than the estimated 2-ton rocks in the existing structure. The material salvaged from the jetty on the east side of the outlet channel can be used to construct the core of the extended seawall. Larger rocks can be obtained from Santa Monica Creek between Foothill Road and the debris dam.

Alternate Channel Studies

Our alternate plan was considered for the Franklin Creek channel system. The plan was to construct a rectangular reinforced concrete channel along the northerly reach of Casitas Pass Road to divert floodflows from the western portion of the Franklin Creek drainage area into Carpinteria Creek. This plan would decrease the design capacity of the remaining Franklin Creek channel thereby reducing its cost. However, the total capital cost of the diversion plan is greater than that for the plan proposed in this work plan.

A comparative cost study was made between a rectangular and a trapezoidal concrete-lined channel. Due to the high cost of rights-of-way, the rectangular channel was found to be the more economical. In addition, the high design velocities make the superelevation requirements at the numerous curves of the trapezoidal channel impractical.

The feasibility of providing channel improvements on Carpinteria Creek was also investigated. These structural measures could not be economically justified and are therefore not included in this work plan.

Cost Estimation

LAND TREATMENT MEASURES

The unit costs for installation of on-farm land treatment measures were based on current costs of materials and construction. For those practices involving farm labor and equipment, costs were derived from recent studies made by the Soil Conservation Service in the area. Construction costs for roads, firebreaks, and other water tanks were based on contract prices for similar work in other areas. Costs of operation and maintenance of the fire control measures were derived from averages to such costs as tabulated in existing records and amount to $21,300 annually. This figure comprises $16,100 annual cost on Federal lands and $5,200 annual cost on non-Federal lands.

The cost of technical assistance for the installation of land treatment measures was based upon previous work by Forestry personnel and an analysis of Soil Conservation Service expenditures and Soil Conservation District accomplishments for the past several years in the Santa Barbara Soil Conservation District.

CONSTRUCTION OF STRUCTURAL MEASURES

Construction costs are based on quantities calculated for the proposed structural measures and estimated average unit costs of the individual items. Estimates of unit costs were generally based on previous Public Law 566 project bid prices for Southern California. Other sources include construction bid prices from previous U.S. Corps of Engineers, California Division of Highways, and Santa Barbara County Flood Control and Water Conservation District projects. The estimated contract costs, based on quantities, were increased 15 percent for contingencies.

INSTALLATION SERVICES

Installation services costs were derived by the use of Soil Conservation Service criteria. Total installation services costs are estimated to be 22.5 percent of the construction cost, which includes engineering, 17.0 percent and Federal adminis-

trative services at the state and national level, 5.5 percent. An additional cost of $40,000 for hydraulic model studies and $5,000 for geologic investigations is included.

RIGHTS-OF-WAY COSTS

The Santa Barbara County Flood Control and Water Conservation District made a preliminary appraisal of the rights-of-way required for all structural measures. Recent sales of similar properties in the area indicate an urban land value of $50,000 per acre and a range of agricultural land values from $6,000 to $10,000 per acre. Land in the vicinity of the debris dam is estimated to cost $1,000 per acre and a nominal value of $100 per acre has been applied to lands within the existing creek beds. An additional $800 was added to the estimate for the acquisition of each parcel and the total cost was increased 15 percent for contingencies.

UTILITY MODIFICATION COSTS

The costs of utility relocations for water, gas, sewer, electric, and telephone services were obtained from the various utility companies and based on the preliminary design plans included in this report.

Unit costs for bridges were based on information received from the Division of Highways and unit costs for reinforced concrete box culverts were based on the experience of the Flood Control District in constructing many such structures in recent years. The actual costs of the culverts were reduced by the costs of equivalent lengths of channels to arrive at the non-Federal costs for the structures.

ADMINISTRATION OF CONTRACTS

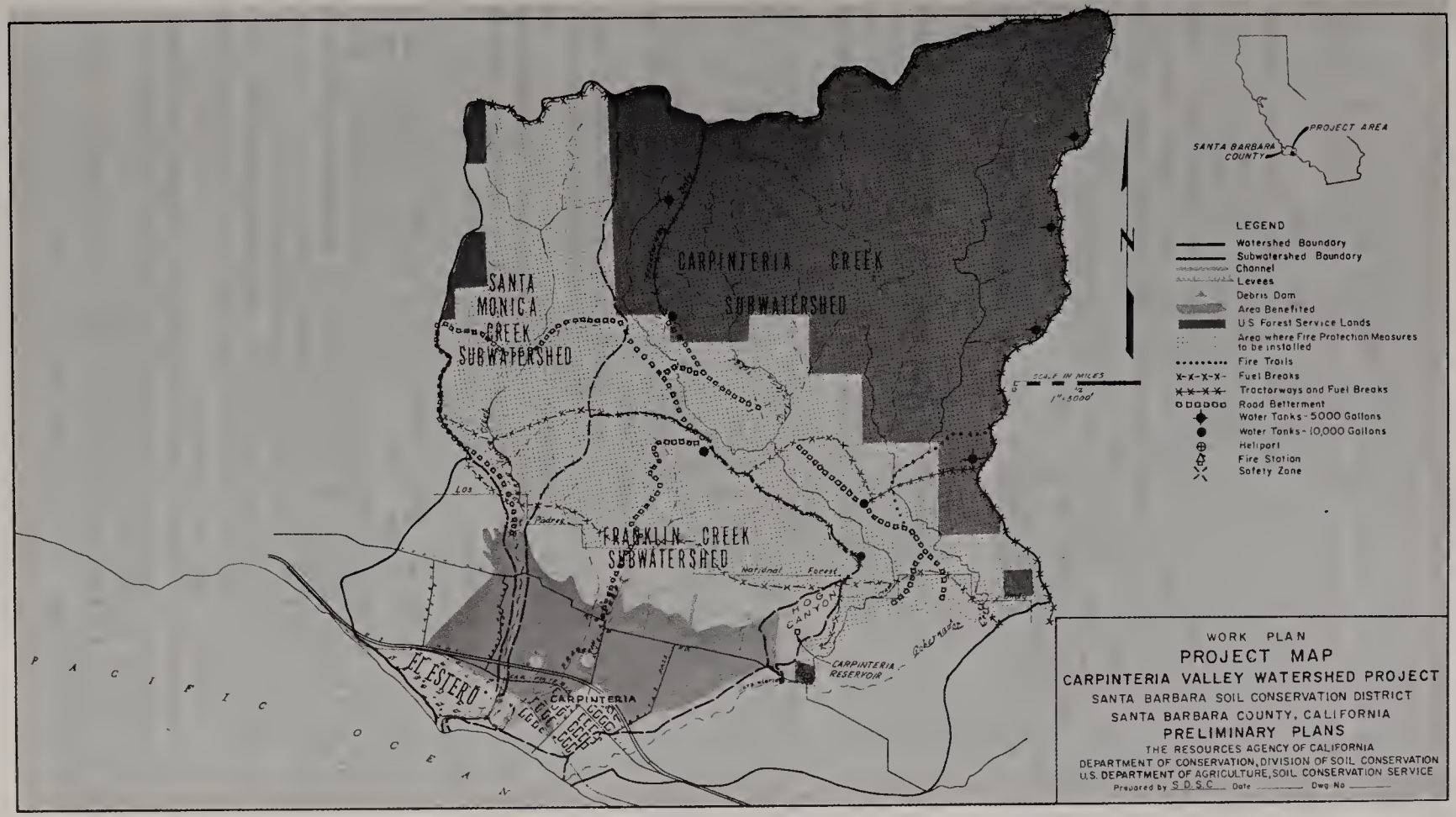
The local administration of contracts is estimated to be 1 percent of the total construction costs. State dam filing fees are an additional administrative cost.

OPERATION AND MAINTENANCE

The estimated average annual cost for the operation and maintenance of structural works is $14,400. The average annual cost for maintaining the lined channels has been estimated to be $1,100 per mile based on actual costs for similar type channels in the area. Estimates of operation and maintenance costs for all other project facilities were computed using percentages of construction costs within the ranges given in Watershed Memorandum Cal 6 of the California State Office of the U.S. Soil Conservation Service. The total annual operation and maintenance cost is adjusted to a normalized base.

AVERAGE ANNUAL EQUIVALENT COST

The average annual equivalent cost of $156,200 for structural measures is composed of the total installation cost amortized over 100 years at 3¼ percent interest and includes annual operation and maintenance costs.


SANTA MONICA CREEK SUBWATERSHED
CARPINTERIA CREEK SUBWATERSHED
FRANKLIN CREEK SUBWATERSHED
National Forest
CHOCOLATE CANYON
CARPINTERIA RESERVOIR
EL ESTERO
CARPINTERIA
PACIFIC OCEAN
PROJECT AREA
SANTA BARBARA COUNTY
N
SCALE IN MILES
1" = 5000'
LEGEND
Watershed Boundary
Subwatershed Boundary
Channel
Levees
Debris Dam
Area Benefited
U.S. Forest Service Lands
Area where Fire Protection Measures to be installed
Fire Trails
Fuel Breaks
Tractorways and Fuel Breaks
Road Betterment
Water Tanks - 5000 Gallons
Water Tanks - 10,000 Gallons
Heliport
Fire Station
Safety Zone
WORK PLAN
PROJECT MAP
CARPINTERIA VALLEY WATERSHED PROJECT
SANTA BARBARA SOIL CONSERVATION DISTRICT
SANTA BARBARA COUNTY, CALIFORNIA
PRELIMINARY PLANS
THE RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION, DIVISION OF SOIL CONSERVATION
U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE
Prepared by S D S C Date Dwg No

Mr. ANDERSON. Mr. Chairman.

Mr. JOHNSON. Mr. Anderson.

Mr. ANDERSON. Just one more question, Mr. Samson.

I noticed earlier that Congressman Teague had given a general figure for his congressional district of damage of about $100 million, both public and private sectors, I believe, for his area.

Now, you may have given this figure yourself. What is the estimated public and private figure damage throughout California?

Mr. SAMSON. I believe I did indicate it, and I indicated that it was probably a little small; but the figure we have now is about $170 million, public damage, and about $100 million private damage. But, particularly in the area of private damage, all of it probably never will be reported throughout our channels.

I would judge that these will come out as we go along, because many of these areas, well, they have no way of knowing at this point what the real private damage impact is.

Mr. ANDERSON. You say $170 million public and about $100 million in the private sector?

Mr. SAMSON. Right.

Mr. ANDERSON. And is estimate again was a fairly general estimate of about 50–50 damage of $100 million?

Mr. SAMSON. That is correct.

Mr. ANDERSON. It looks to me like your estimates were probably low——

Mr. SAMSON. This is what I say. Our estimates now are based on what has come in officially to my office, adjusted by what we have to really work on. And I realize there is a discrepancy here, but I indicated that ours are rising as we go along.

Since your committee was out in California, the public damage estimates have gone up, I think, from $110 million to $165 or $170 million.

Mr. CLAUSEN. Would the gentleman yield?

Mr. Johnson, I believe, has some figures which I believe would represent the most accurate figures. Maybe you can put them in the record, if you feel they can add to the facts required.

Mr. JOHNSON. I might say at this time that we have been working very hard with everyone concerned, including the gentleman who is now before us as a witness, in trying to develop figures that could be considered as being accurate at this time.

They are changing. The public sector comes in with about $142 million, and the private sector comes in at $100 million; making a total now of what we are considering on behalf of the legislation of $242 million, and being reported to us by responsible people in California, as the damage, from both Federal and State sources.

Mr. ANDERSON. That would seem low, would it not?

Mr. JOHNSON. That is the only thing we can say—it could be low. But these are actual figures that are being considered by the agencies that are working with the property.

Mr. ANDERSON. My thought was if Congressman Teague's estimates were anywhere near real, with the number of districts that were damaged, the figure should be considerably higher——

Mr. JOHNSON. By the time we draft the bill, we will have the latest, up-to-date figures.

Mr. CLAUSEN. It is conceivable that in Mr. Teague's remarks, as you know, he also had the major oil problem. And it could be he has incorporated some of the figures of that disaster in with this. That is a possibility.

Mr. SAMSON. I know what happens, Mr. Chairman, when you get figures down in black and white, and I would hope that we could consider these are subject to revision.

I will try to get later data for you.

Mr. CLAUSEN. Mr. Samson, in light of the testimony presented by Mr. Stearns, plus your own comments, also the fact that you are in a key position in the area of disaster relief, I would hope that you would strongly urge all of your State agency leaders, as well as your Governor, to advance this information to the Director of the Bureau of the Budget, to the President of the United States, and to the various Appropriations Committee members that are from California, as well as the chairman of the various Appropriations Committees. I am trying desperately to build the kind of record that recognizes the facts as they are.

And it has been my experience that every day away from the flood people tend to forget. Mr. Johnson and myself, being from the northern part of the State, where so much of the water originates from, we are aware of this. We are plagued with this problem year in and year out. But I would hope that your administration out there, and in your particular position as a Disaster Director for the State of California, would advance this point of view in the strongest possible terms to the people that can do something about it; because I am convinced that if we do not have a case based upon the experiences of 1968 and 1969, we will never have one as far as the State of California is concerned. And this happens to relate to other sections of the country as well. We have to have a higher consideration, from the standpoint of budget priorities, and this is the time to start talking about it.

Mr. SAMSON. Very good. I will do that.

Mr. JOHNSON. We want to thank you, Mr. Samson, for your appearance here, and we will certainly appreciate the updated figures within the next 10 days; and we hope to move the bill through the subcommittee sometime during the next week.

Mr. SAMSON. Very well, sir, we will get that in to you. And, again, I thank you for your courtesies.

Mr. CLAUSEN. Thank you very much, Mr. Samson. You are most helpful.

Mr. JOHNSON. Our next witness will be Mr. James A. Moe, director of the department of public works. He is accompanied by Mr. John Legarra, State highway engineer, and Mr. Emerson W. Rhyner, deputy chief of legal division, department of public works.

If you three gentlemen would come forward, we would like to hear from you.

Off the record.

(Discussion off the record.)

Mr. CLAUSEN. Before they proceed, consistent with the oft-quoted comment that "through these portals pass the most beautiful girls in the world," I would like to paraphrase that to say that before this committee we now have the finest highway engineers and heads of highway departments in the United States of America; if you will excuse my being a little bit parochial about this.

STATEMENT OF JAMES A. MOE, DIRECTOR, CALIFORNIA DEPARTMENT OF PUBLIC WORKS; ACCOMPANIED BY JOHN LEGARRA, STATE HIGHWAY ENGINEER, AND EMERSON W. RHYNER, DEPUTY CHIEF OF LEGAL DIVISION, DEPARTMENT OF PUBLIC WORKS

Mr. MOE. Mr. Chairman, members of the committee, we appreciate the opportunity to appear before you and to bring you up to date on the factual report of damage to the State highways, county roads, and city streets in California.

On February 11, 1969, a special report of flood damage on California highways was presented before a joint session of the Subcommittee on Rivers and Harbors and the Subcommittee on Flood Control of the Committee of Public Works, House of Representatives. Subsequent to that report, continued storms wrought additional heavy damage to the highway system in California. It is the purpose of this report to present to the Subcommittee on Flood Control the present estimated total storm damage.

Continuous and unusually severe winter storms in California, especially since January 17, 1969, have caused widespread major damage to the highway system on State, county, and city routes. All but six of the 58 counties in the State suffered major damage.

As soon as it became apparent that storm damage would reach disaster proportions, immediate action was taken at the State level to bring into play those Federal support programs which are available under these circumstances.

The chronology of such actions is listed in an attachment to this summary report.

The storms continued, one after another, throughout the last part of January and the month of February, oftentimes hitting areas first devastated two and three times.

Estimates of damage continued to rise and as of March 17 have reached a total of approximately $77,850,000 on State highways, city streets, and county roads. This is double, or an increase of about $39,850,000 over the $38 million presented to the joint session of the Subcommittee on Rivers and Harbors and the Subcommittee on Flood Control on February 11, 1969.

Coupled with heavy rain were sustained snowstorms over the Siskiyous, Sierras, the southern mountain ranges and the eastern slopes of the Sierras. Unprecedented snowfall occurred on the eastern slopes and the near-record snowfalls were recorded elsewhere in the Sierra mountains.

On two separate occasions damage survey teams were dispatched to the locations of storm damage to make on-the-spot estimates of cost of restoration of State highways. These teams were composed of representatives from our division of highway's headquarters, the Bureau of Public Roads, and local district personnel.

Similar teams were dispatched, and some are still in the field, surveying the damage to city streets and county roads. These teams were similarly composed.

The summary of latest reports of damage are shown in the attachments to this report. Based on current estimates, support programs to finance emergency openings and restoration of highways under Fed-

eral financing are estimated to cover $34.9 million, leaving $42,950,000 to be financed by other means. These costs are exclusive of snow removal, and exclusive of future damage if we experience a fast snow melt or runoff.

Emergency openings, repair and restoration of Federal-aid highways in California are eligible for Federal emergency relief aid up to 59-plus percent of the cost; forest highway damage is eligible for Federal aid at 100 percent. Emergency opening and repair of non-Federal aid highways are federally financed to a limited extent under Public Law 875. Historically the above percentages are not fully realized due to ineligibility of reimbursement of some of the damage.

Percentage of estimated support financing received from the various funds are illustrated on the summary of damage in the attachments.

In California about 80 percent of State highways are on a Federal-aid system of one kind or another, and only 20 percent of the city street and county road network are on Federal-aid systems.

Detailed estimates of support funding for damages to the three classes of roadways are included in the attachment.

As mentioned previously, the snowfall in the Sierras has been unusually high. Snow surveys indicate the water content of the snowpack is between 150 percent of normal in the northern areas to 450 percent of normal in the southern San Joaquin watershed.

Best predictions, assuming normal weather during the spring melt, indicate a sustained heavy streamflow from April through July, in which case additional damage to highways could well occur. The extent depends entirely on weather conditions during the critical months. The snowmelt runoff in the northern Sierras is not expected to cause significant damage. Neither is the runoff on the southern slopes of the southern mountain ranges.

We certainly agree with the principles of H.R. 6508, relating to Federal aid for the restoration of roads and streets not on the Federal-aid system. We believe that it is right and just. Floods are not selective in the roads they damage or destroy. When they hit, streets in small communities encounter great hardships.

For example, in the small community of Glendora, near Los Angeles, street damage is approximately $1.5 million, and all of it is off the Federal-aid system. Only $350,000 in Public Law 875 aid is eligible.

Paying the balance of the sum would be exceedingly difficult for Glendora.

Additional Federal aid for roads off the Federal-aid system is needed to supplement the Public Law 875 program. We strongly urge the enactment of this proposal.

Further, we respectfully request appropriation of funds to the Public Law 875 program in amounts sufficient to cover eligible applications.

The report submitted to you has attachments which break down the damage estimates on the State highway system in counties and in cities, and further breaks down the anticipated Federal aid from the Federal emergency relief program and the Public Law 875 program.

We have, in addition, photographs to display samples of the damage on the State highway system; and if you wish, we are prepared to present slides on the screen, showing additional damage to the State highway system.

It might be helpful to clarify a point Mr. Anderson raised in the question relating to a 1-cent gas tax increase.

In my comment from the back of the room with regard to the Governor having taken a position as yet, that is the answer to the particular legislation you referred to—he has not taken a position on that specific bill as yet, while seeking all possible alternative ways for the State to help itself.

He has indicated to counties and to cities that the State will help one way or another. There are alternative ways, and they are still being explored. And in the meantime we are proceeding with our own California Highway Commission in rebudgeting certain funds in order to get to damage repair immediately.

Whatever we do in that respect, however, does defer projects from our construction budget. And so the State, in other words, is helping itself in many ways right now. We do seek additional aid, as indicated earlier, particularly in those damaged areas off the Federal-aid highway system.

(The following was received for the record:)

CHRONOLOGY OF GOVERNOR'S PROCLAMATIONS FOR STORM DAMAGE FROM 1969 STORMS

EMERGENCY RELIEF PROCLAMATIONS

January 30, 1969: Proclamation of emergency covering all counties in the state except the counties of San Diego, Imperial, Modoc, Lassen, Nevada, Placer and El Dorado

March 12, 1969: Amended emergency proclamation adding San Diego County

PUBLIC LAW 875 PROCLAMATIONS

January 23, 1969: Declared disaster area in San Luis Obispo and Los Angeles Counties

January 25, 1969: Declared disaster area in the counties of Fresno, Inyo, Riverside, San Bernardino, Santa Barbara, Tulare and Ventura

January 28, 1969: Declared disaster area in the counties of Amador, El Dorado, Kern, Kings, Madera, Modoc, Mono, Monterey, Orange, Placer, Sacramento, San Joaquin, Shasta, Solano, Stanislaus, and Tuolumne

January 29, 1969: Declared disaster area in Mariposa and Merced Counties

February 8, 1969: Declared disaster area in San Benito, Sierra and Calaveras Counties

February 10, 1969: Declared disaster area in counties of Contra Costa, Humboldt, Mendocino and Sonoma

February 16, 1969: Declared disaster area in Plumas, Tehama and Yuba Counties

March 12, 1969: Declared disaster area in the counties of Butte, Marin and Yolo

The Governor's Proclamations of emergency now cover all but six of the 58 counties.

The Governor's Disaster Proclamations now cover 40 of the 58 counties.

CALIFORNIA HIGHWAY STORM DAMAGE

State highways	Primary and secondary Federal routes	Forest highways	Off Federal system	Total	Percent
North	$7,365,000	$1,721,000	$299,000	$9,385,000	33
South	14,022,000	4,715,000	484,000	19,221,000	67
Total	21,387,000	6,436,000	783,000	28,606,000	
	ER at 50 percent	ERFO at 85 percent	Public Law 875 at 20 percent	Total	
Estimated Federal reimbursement	$10,693,000	$5,500,000	$158,000	$16,351,000	
Estimated State funds required	10,694,000	936,000	625,000	12,255,000	

Non-State highways	Secondary Federal routes	Forest highways	Off Federal system	Total	Percent
County	$11,540,000	$200,000	$27,531,000	$39,271,000	
City	100,000		9,853,000	9,953,000	
Total	11,640,000	200,000	37,384,000	49,224,000	
	ER at 45 percent	ERFO at 100 percent	Public Law 875 at 35 percent	Total	
Estimated Federal reimbursement	$5,250,000	$200,000	$13,100,000	$18,550,000	
State and local funds	6,390,000		24,284,000	30,674,000	

STATEWIDE SUMMARY OF STORM DAMAGE

	State highways	Non-State Highways		Total
		City street	County road	
Total damage	$28,606,000	$9,953,000	$39,271,000	$77,830,000
Estimated ER reimbursement	10,693,000	50,000	5,200,000	15,943,000
Estimated ERFO reimbursement	5,500,000		200,000	5,700,000
Estimated Public Law 875 reimbursement	158,000	3,450,000	9,650,000	13,258,000
State highway funds	12,255,000			12,255,000
State and local funds		6,453,000	24,221,000	30,674,000

ESTIMATED DAMAGE TO STATE AND LOCAL ROADS FOR STORMS OF JANUARY AND FEBRUARY 1969

[In thousands of dollars]

District and county	State highways				County roads	City streets	Grand total
	Federal-aid system	Forest highways	Non-Federal aid	Total, State highways			
I							
Del Norte	90			90	126		
Humboldt	1,235	711	33	1,979	775		
Lake			25	25	300		
Mendocino	677		111	788	410		
Siskiyou		189		189			
Trinity							
Total, district I	2,002	900	169	3,071	1,611	5	4,687
II							
Butte							
Lassen					20		
Modoc					10		
Plumas		297		297	5		
Shasta	298			298	275		
Sierra							
Siskiyou							
Tehama					60		
Trinity							
Total, district II	298	297		595	370	2	967
III							
Butte	535			535	90		
Colusa							
El Dorado							
Glenn							
Nevada	9			9	25		
Placer					300		
Sacramento					160		
Sierra					32		
Solano							
Sutter							
Yolo	138			138			
Yuba					42		
Total, district III	682			682	649		1,331
IV							
Alameda	40			40	20		
Contra Costa	848			848	1,136		
Marin	36			36	440		
Napa	22			22	5		
San Francisco	18			18			
San Mateo	1,129			1,129	55		
Santa Clara	125			125	35		
Santa Cruz	713		6	719	2,500		
Sonoma	236		105	341	125		
Total, district IV	3,167		111	3,278	4,316	345	7,939
V–N							
Monterey	264		4	268	660		
San Benito					250		
Total, district V north	264		4	268	910	57	1,235
VI–N							
Fresno	513	60	10	583	2,150		
Kings	10			10	450		
Madera	20			20	500		
Mariposa							
Total, district VI north	543	60	10	613	3,100	200	3,913

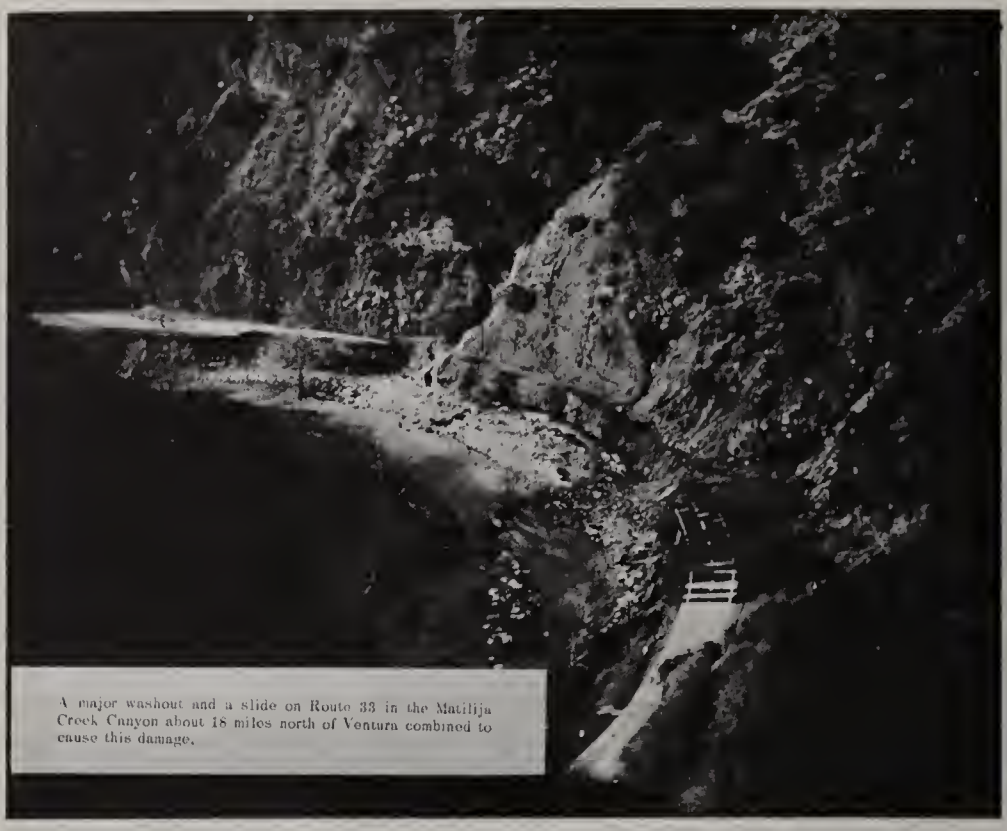
ESTIMATED DAMAGE TO STATE AND LOCAL ROADS FOR STORMS OF JANUARY AND FEBRUARY 1939—Continued

[In thousands of dollars]

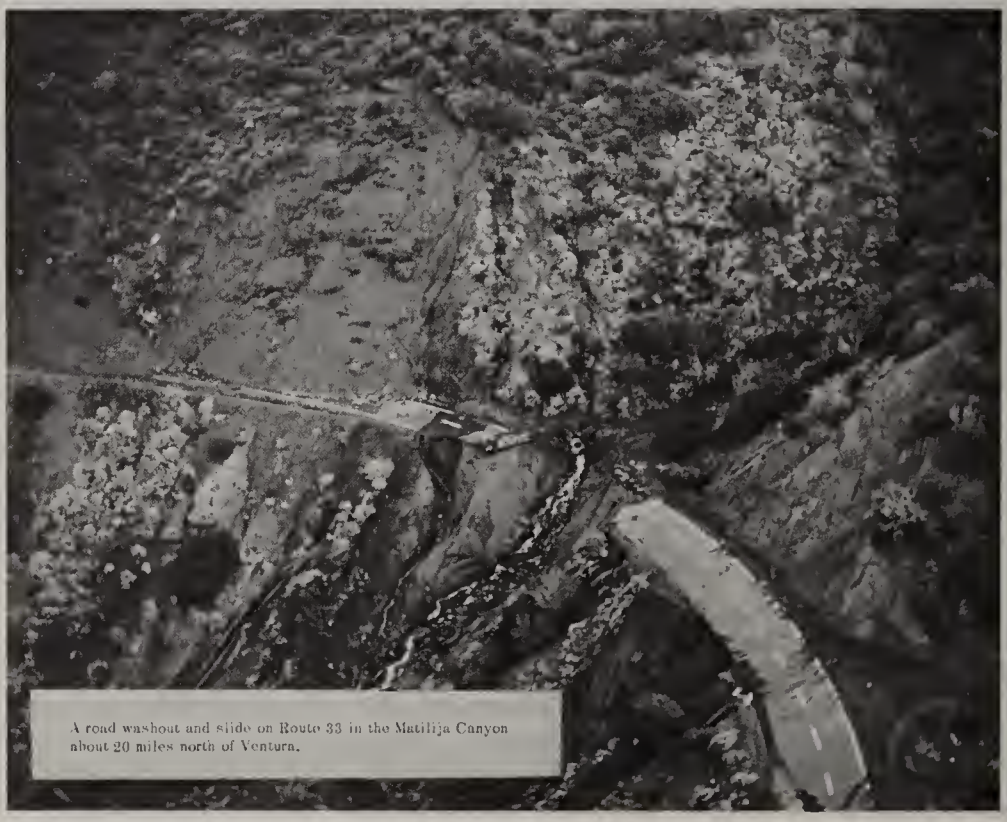
District and county	State highways				County roads	City streets	Grand total
	Federal-aid system	Forest highways	Non-Federal aid	Total, State highways			
X							
Alpine							
Amador							
Calaveras							
Mariposa	14			14	25		
Merced	205			205	125		
Napa							
Sacramento	25			25			
San Joaquin							
Solano	105			105	10		
Stanislaus	6			6	300		
Tuolumne	54	464	5	523			
Total, district X	409	464	5	878	460		1,338
Total, districts north	7,365	1,721	299	9,385	11,416	609	21,410
V–S							
San Luis Obispo	1,110	108	177	1,395	1,800		
Santa Barbara	613	226		839	2,000		
Ventura							
Total, district V south	1,723	334	177	2,234	3,800	157	6,191
VI–S							
Kern	22	2		24	1,000		
Tulare	246		17	263	1,400		
Total, district VI south	268	2	17	287	2,400	175	2,862
VII							
Los Angeles	3,651	1,951	47	5,649	11,000		
Orange	767		23	790	500		
Ventura	1,643	736		2,739	2,880		
Total, district VII	6,061	2,687	70	8,818	14,380	6,716	29,914
VIII							
Riverside	1,998		123	2,121	1,200		
San Bernardino	2,512	1,682	35	4,229	5,500		
Total, district VIII	4,510	1,682	158	6,350	6,700	2,213	15,268
IX							
Inyo	408		13	421	250		
Kern	83			83			
Mono	3			3	100		
San Bernardino							
Total, district IX	494		13	507	350		857
XI							
Imperial							
Riverside	434		49	483			
San Diego	532	10		542	225		
Total, district XI	966	10	49	1,025	225	83	1,333
Total, districts south	14,022	4,715	484	19,221	27,855	9,344	56,420
Grand totals	21,387	6,436	783	28,606	39,271	9,953	77,830

Flooded section of highway near mouth of the Santa Ynez River showing pavement ripped up by flood waters.

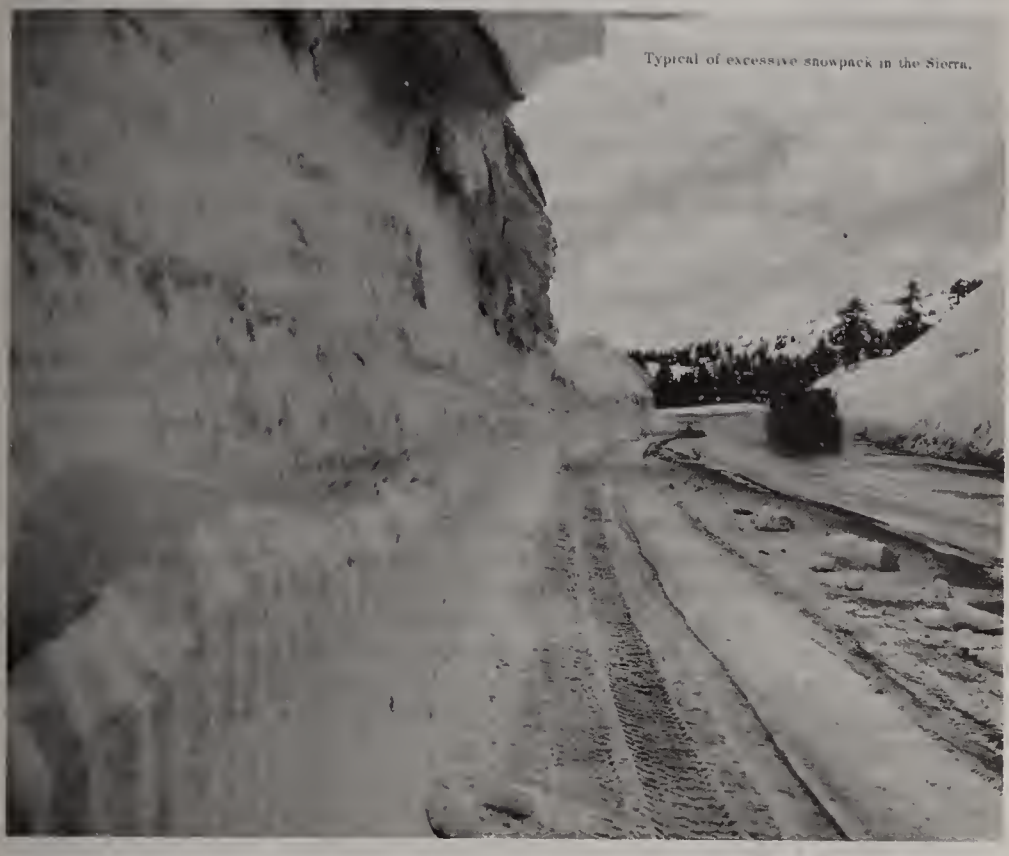
Snow removal operations on Interstate 80 in the Sierra.



A major washout and a slide on Route 33 in the Matilija Creek Canyon about 18 miles north of Ventura combined to cause this damage.



A road washout and slide on Route 33 in the Matilija Canyon about 20 miles north of Ventura.



Typical of excessive snowpack in the Sierra.

Mr. ANDERSON. Just for clarification on the bill that is in progress, I think you estimate it would raise nearly $40 million. Is there an additional $25 million being appropriated for the same purpose as the bill ?

Mr. MOE. Yes, sir; for other public damage.

Mr. ANDERSON. Other than highways?

Mr. MOE. Public property damage, other than highways, $25 million from the general fund.

Mr. ANDERSON. What would it be used for, what kind of damage?

Mr. MOE. Public buildings as an example.

Mr. ANDERSON. I see. It would be all in the public sector, but in other areas in addition and separate from highways?

Mr. MOE. Yes, sir.

Mr. JOHNSON. We want to thank you, Mr. Moe, for updating your presentation you made to us in Sacramento in the way of figures. The legislation that is pending in Sacramento, that portion that would be raised by the 1-cent levy for a 6-month period, as I understand it, raising about $7 million a month—just what will that be spent on? What type of roads?

Mr. MOE. Let me introduce Emerson Rhyner from our legal division, who is familiar with the latest amendments and the specifics of that bill, to clarify that answer.

Mr. RHYNER. Thank you, Mr. Chairman.

As amended, at the present time the bill would obligate 80 percent of the revenue from this gas tax increase to city streets and county road restoration. It would allocate 20 percent of the revenue to the State highway restoration. I am not sure that that breakdown is accurate, in view of our latest estimates of damage; and it could well be that that should be shifted to say 70–30, something like that.

We have a different situation this time than we did in the 1964 floods.

In those floods the damage was primarily on State highways. Now it is primarily on city streets and county roads.

Mr. JOHNSON. Now, you say at the present time the bill has been sent from the senate to the assembly for concurrence?

Mr. RHYNER. Yes, sir.

The bill was introduced and, as it went out of the assembly, it was a rather minor flood damage bill. It provided, I think, for $2.6 million for city streets and county roads, or 2.5 million for damages in the other part of the public sector. That appeared before the storms, and of course the storms made it a completely different ballgame.

When it reached the senate, the senate completely changed the concept of the bill by inserting this tax, by inserting the $25 million that Mr. Moe mentioned.

So it must now go back to the assembly for concurrence, and I am told that it may well end up in conference, Mr. Johnson.

Mr. JOHNSON. As it would appear now, then, I presume the Governor would sign the measure that would come from the Congress?

Mr. RHYNER. I cannot speak for the Governor, Mr. Johnson. I can only say, as Mr. Moe said, he has stated that the State is going to help. It could be a gas tax and——

Mr. MOE. I think it is only proper to state at this time that the Governor has been very reluctant to consider any increase in gas tax, along with any other increase in taxes. And his position with regard to that is unchanged at this date. If no other alternatives appear appropriate, I am sure he would reconsider that.

But, speaking quite frankly, at this point in time he has still not changed his opinion about any increase in taxes.

Mr. JOHNSON. I know that was his opinion when we were there in Sacramento, at the time when we were holding hearings, because he did not want to go into a tax program at that time if he did not have to.

If the emergency exists, a temporary tax increase would be the way to solve the problem, and it would be used for purposes of county and city streets, as well as the State highway system.

The 80-percent figure is a very good one. I fully realize that the floods that we had in 1964 and 1965 saw damage done primarily to the State highway system in our areas. Mr. Clausen and myself both had a great deal of damage done to the State highway system. This time it was a little different in nature.

Mr. Clausen.

Mr. CLAUSEN. Just a brief comment. We appreciate very much your testimony, but in line with what you have been saying about the question of whether there should be the additional gas tax, most of us are fully aware of the great deficiencies that do exist throughout the entire State in the road system. And just as a Californian and a member of the roads subcommittee here, I would hope that you would take back

to all concerned this basic message, and that is: We do not want to do anything that is going to slow down the already lagging construction program. We cannot complain, because California is certainly out in front, as far as other State highway programs in the Nation go.

But with all the deficiencies that there are, I would not want to see that jeopardized, because I think we have pretty well established the fact that Californians generally would react favorably to the implementation of an emergency gas tax fund in order to take care of these current damages.

Mr. MOE. From the department's viewpoint, we could not agree more with you. And the deficiencies in our highway system alone, over the next 10 years, require about $14 billion, and our estimated revenues over that period of time are going to be something around $5 billion or less. So it is very serious to the State to defer any projects and, in fact, not have any opportunity to advance projects when possible.

Mr. CLAUSEN. Consistent with what I have asked of Mr. Samson earlier, and I would direct this to any one of you, I would hope that you would review the legislation before us, and I know that all of you have been very helpful to us in the past in perfecting highway legislation, you have given me, as the Californian on the roads subcommittee, some excellent recommendations for improving the language of the drafted bills, and I would hope that we could expect the same kind of information recommendation on this, that you will evaluate it, and if you have some suggestions, why, you can convey this to our staff, and you can serve the committee's effort as well as that of the State of California in this case.

Mr. RHYNER. We will consider it a privilege, Mr. Clausen, and we will certainly do that.

Mr. JOHNSON. Mr Anderson, do you have any further questions?

Mr. ANDERSON. No.

Mr. JOHNSON. Mr. Legarra, did you have anything to add?

Mr. LEGARRA. I do not.

Mr. JOHNSON. Mr. Legarra is our State highway engineer. I presume that you fully agree with Mr. Moe, when he says that we have great deficiencies.

Mr. LEGARRA. Yes, sir; I certainly do.

Mr. JOHNSON. I want to commend you people for our highway effort in the State. I think we have a very efficient and effective highway department, and also the department of public works. Traveling the State over, you can readily see that you are at work. As you travel the State over, with the increase in the amount of travel, you can see that some of those roads that we thought were pretty good a few years ago are getting too crowded.

Off the record.

(Discussion off the record.)

Mr. JOHNSON. You do have these slides, and we would like for the staff and members here to have the benefit of your slides. It will not take very long. So if you would like to narrate your slides, fine.

Mr. MOE. Mr. Legarra will comment on them as we go through each one. There are not too many.

Mr. LEGARRA. We only have about a dozen slides. It may be well worth while just to go over them very briefly. [Slide.]

The first group of slides, in fact the first five of them, Mr. Chairman, involve a road that leads from Ventura up to Ojai, and through Matilija Canyon; in fact it ties in with the city of Taft.

This is State Route 33, and the particular slide you are looking at now is through this particular canyon.

This slide and the next four are through this same area. If you would just run through these slides [slide] to give you some indication of some of the problems that were involved on this particular road.

Next slide. [Slide.]

Next slide. [Slide.] You can see here is a case where the road is completely destroyed.

Next slide. [Slide.] This is still in that same canyon. This road has been completely closed since the first major storm.

Next slide, please. [Slide.] Now this is a different road. This is a road in Ventura County also. The other one, by the way, was in Ventura County. This is also in Ventura County, and connects the city of Santa Paula with Ojai.

This occurred during the first storm. Shortly after this, there was another storm which took out this bridge completely, and the road was completely closed.

Next slide. [Slide.]

Now we are getting into a road in Los Angeles County. This is a road that leads from the city of Azusa northerly to the San Gabriel Mountains, through San Gabriel Canyon.

The next half dozen slides are the slides on this particular road, if you will go through the slides. [Slide.] I think this is pretty obvious, that this road has been completely closed off. [Slides.] You can see here, it is hard to believe, but there was a road in this area at one time.

Next slide. [Slide.]

Now, this is a very difficult one to see because it is dark, but this is on a different road. This is on a road between Ventura, leading easterly through Santa Paula, and then easterly tying in to Interstate 5 or old U.S. 99, just north of the city of Los Angeles. And this is also in Ventura County.

You may be able to see the fact that the large portion of the road had slipped out. This occurred after the first storm.

After the second storm, the complete road was taken out.

I believe that is all there is on the slides.

Mr. Chairman, this is just with the idea of giving you some concept of the problems we have been having in California. We could show you slides of many areas throughout the State of California, which would be very similar to what you have seen here today.

Thank you very much.

Mr. JOHNSON. We want to thank you, Mr. Legarra. I think the pictures that were taken tell us a very true story of what happened in some areas, and, God help us, that it was not any more than it was in the State highway system.

I can well remember the slides and pictures that were taken from the 1964 and 1965 floods, when it amounted to a lot more damage to the State highway system.

Tomorrow we are going to hear from the Bureau of the Budget and the various Federal agency people in connection with the bill

itself, as well as a few more of the California Congressmen; and we have one or two witnesses who are coming from the State legislature who will be here tomorrow on some of the areas vitally affected, from Santa Barbara County and Ventura County.

After the hearings tomorrow, we will close the hearings on this bill, and we will evaluate the testimony to go into executive session, and write the bill, hopefully to meet most of our problems out there in the way of assistance back to the area affecting the private sector as well as the public sector. The private sector is going to be a rather difficult one to deal with.

The public sector I think we will be able to work out a workable bill, similar to what we had in the 1965 act, relating to the disaster in California and Oregon and Washington and Nevada.

We appreciate all the materials that have been provided us from the State of California.

You people are very expertise and are right on the scene; and your information is very good information.

Now, some of the agency people, Budget people, might have some criticism as far as the bill at the present time is concerned.

But we hope to clarify some of these problems, and problem areas, and write a bill.

With that, if there is nothing further, no further remarks, we will adjourn until 10 o'clock tomorrow morning, when we will hear from other witnesses.

(Whereupon at 12:03 p.m., the subcommittee recessed, to reconvene at 10 a.m., Friday, March 21, 1969.)

CALIFORNIA DISASTER RELIEF ACT OF 1969 (H.R. 6508, H.R. 6509)

FRIDAY, MARCH 21, 1969

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FLOOD CONTROL
OF THE COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:05 a.m., in room 2167, Rayburn Building, Hon. Harold T. Johnson presiding.

Mr. JOHNSON. The Subcommittee on Flood Control will come to order.

We will continue our hearings today, hearing some Members of Congress, local and State governments, as well as the Federal agency people who are scheduled to testify on H.R. 6508 and H.R. 6509.

Our first witness this morning will be the Honorable Glenard P. Lipscomb, a Member from California representing an area in Los Angeles and San Bernardino County.

STATEMENT OF HON. GLENARD P. LIPSCOMB, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. LIPSCOMB. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate the opportunity to appear before the Subcommittee on Flood Control of the House Public Works Committee and to speak in support of H.R. 6508 and H.R. 6509, the proposed California Disaster Act of 1969.

I know that the committee is well aware of the total damage in California, because it has been great. I was last informed that it is over $110 million and this bill would authorize substantial assistance for our State.

I would like to direct my remarks to the 24th District of California, which it is my privilege to represent in Congress. It is located mainly in Los Angeles County and a portion is located in San Bernardino County.

At this time I would like to thank the subcommittee for their visit to Los Angeles County and San Bernardino County and for their visit specifically to the 24th Congressional District.

The district contains areas which unfortunately were especially hard hit by the rains, flooding, and mudslides during the January and February storms. There were heavy damages in San Bernardino County in areas immediately adjacent to the 24th District but primarily the damages in the 24th District occurred in that portion which is in Los Angeles County.

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There was damage generally throughout the 24th District but the major damage was centered in a few sections. One of these that received much damage was the Glendora and Azusa area. A major reason for this was that there had been a severe fire in the watershed above these communities last summer, which cleared the area of trees and other ground cover. As a result, and as had been expected, Glendora and Azusa received severe damage when the heavy rains came. It was a fire and flood sequence, which was a serious thing. Other areas in the district which incurred heavy damages were San Dimas and Mount Baldy village.

It is difficult to give exact figures in dollar amounts as to the damages caused by the storms but the cost obviously was very high. It is estimated by the Los Angeles County Flood Control District that damages just in Los Angeles County for the January and February storms amounted to over $83 million. This breaks down to damages of $66.8 million in the public sector and $16.7 million in the private sector.

Broken down as to some of the cities in the 24th District for Glendora with a population of a little over 28,000 people, the latest information I have for the city is that in the public sector, such as roads and streets, storm drains, and water systems, public schools and other items, the damage amounted to $2.6 million. Glendora has made applications for assistance under Public Law 81–875 amounting to approximately $643,000. The losses to private residences, personal property losses, private water systems, private schools, and others amounted to approximately $1.5 million.

Azusa, another small city of around 28,000, has filed applications under Public Law 81–875 for assistance to cover losses in the public sector amounting to $149,000. The city has spent approximately $35,000 for which no financial assistance has been requested.

I am advised that in Azusa alone, 465 individual citizens suffered damages to their real property in an amount of $368,000 and personal property damage amounted to approximately $90,000.

Damages to the Azusa Pacific College, a private institution, from the flooding and mud slides are estimated to amount to between $300,000 to $500,000.

In nearby San Dimas, a small city of a population of 12,500 people, public damages for which assistance was applied for amounts to over $49,000. Private damages amounted to $240,000.

Though it is difficult to present a complete and up-to-date picture, the foregoing figures certainly show that there was widespread damages and that we face a tremendous task of reconstruction and repair.

Any additional assistance that might be made available to California cities and counties and private individuals under this legislation would be very helpful.

I also want to bring to the committee's attention at this time the fact that a project to provide watershed improvements has been proposed for the Glendora-Azusa area in the 24th District which suffered heavy losses. It is known as the San Gabriel River watershed-western area project and would include land treatment and structural measures. Federal assistance under Public Law 566 has been sought over the course of several years for the project but without success. It is believed that the storm damage in the vicinity of Glendora-Azusa could have been substantially reduced if this project had been completed when the storms occurred.

It is my hope that the committee will examine this proposal to see what might be done toward authorizing the San Gabriel River watershed-western area project so this important work could begin. In my opinion it would be a sound and practical step to proceed with this watershed project which would aid greatly in eliminating or reducing damages in the event of heavy rains and floods.

I want to thank the subcommittee for affording me this opportunity to appear here today to discuss these matters specifically of interest to the 24th Congressional District, and I want to commend the committee for their aggressive action, not only here today, but for visiting the areas and seeing firsthand the substantial damage that was caused by the rains of December, January, and February.

Thank you, Mr. Chairman.

Mr. JOHNSON. I want to thank you, Mr. Lipscomb, for a very fine statement pointing up the damages in your district, as well as everybody concerned in southern California, and also to thank you for your participation in our hearings in Los Angeles and the very fine field trip that was afforded us where we did get out to actually see the damages.

It was my understanding when we were in Los Angeles that there were several questions raised, both in the hearing and in the field, as related to the development on the San Diego River watershed. And when I left there, it was my understanding that there would be a meeting of all of the agency people at the Federal level as well as the local and county level and local government there.

I want to ask them a question or two concerning these developments and I do think there is other legislation that might be used to perfect a project in the area.

Mr. LIPSCOMB. That would be very fine, Mr. Chairman.

The project that I mentioned, the San Gabriel area, has been well thought out. It has been worked for over 6 years and has been refined to a good degree. We are talking about a project here that would run overall, Federal, State, and local money, a little over $5 million. And it would, I am sure, save not only property losses, but it could possibly save loss of lives. I think somehow, looking to the future, that if we could get something like this moving in this San Gabriel Valley area, that it would be very helpful.

As the committee will knows, from the work that you did and the contribution you made to the Los Angeles drainage area, there was an expenditure there of around $300 million. The Los Angeles County flood control people have estimated that in this storm alone, that over $900 million worth of property was saved because of the investment in the flood control projects in that area.

So anything that you do toward authorizing or looking toward implementing the suggestion of Los Angeles County would be deeply appreciated.

Mr. JOHNSON. Any other questions?

Mr. JONES. Mr. Chairman.

Mr. JOHNSON. Mr. Jones.

Mr. JONES. Of course, Mr. Lipscomb, we welcome you before the committee.

I recall the trip we made out to his district some years ago and he was just as charitable then as he was to the last group that visited his area.

I am equally pleased, Mr. Lipscomb is on the Appropriations Committee and will accommodate whatever we might do here. [Laughter.]

Mr. LIPSCOMB. Mr. Chairman, I appreciate Mr. Jones' remarks. I shall always remember his trip out there.

I must say that he made a speech for me before an American Legion group and I think that I have already benefited from that particular speech.

But going to your remark, Mr. Jones, about the Appropriations Committee, I can assure you as one member that I would be as helpful as I possibly could.

Mr. JONES. You always are, Mr. Lipscomb.

Mr. LIPSCOMB. I wish I could speak for the whole committee.

Mr. JONES. Well, I would like to remind you that the disasters that occur, as I pointed out yesterday when we commenced the hearing, these catastrophes are always unique. I do not know that there is any way we could make total preparations for them. For instance, the earthquake damage in Alaska, the unusual flooding conditions that occurred in the Pacific Northwest some 3 or 4 years ago, the hurricane damage in Mississippi and Louisiana, those things have to be dealt with after they occur, unfortunately.

There is a great deal that we can do in the way of harnessing our streams to see that they are arrested under flood conditions.

But unless we respond to the very earnest needs of the people that are in the affected area, I think it would be a useless thing. We certainly show every generosity that Government can possibly afford to give relief to those people.

Mr. JOHNSON. Mr. Clausen.

Mr. CLAUSEN. Mr. Lipscomb, I want to express to you our appreciation for the assistance you gave the committee in coordinating the trip as we came in, not only to the Los Angeles area but also to your own district; because I believe that the examination on the spot of some of those homes where the flood had devastated—we saw, firsthand, mud had gone up to the roof of some of the buildings. And we were able to talk to some of the people in the area. That leaves the kind of lasting impression on a committee member that cannot help but make a person sympathetic.

Now, if I understand your testimony, the thrust of your testimony, it is directed toward a strong desire to advance what is referred to as the San Gabriel watershed project under Public Law 566 and, as the gentleman knows, he and I discussed this many hours over the last few years, and I do want to report to you that we have asked the Soil Conservation people, we will be discussing this with all of the agencies concerned. And whether or not we actually are able to get the information together to be included in this particular piece of legislation, I want to assure you I think that the committee will be most sympathetic. I will assure you that we will take a very good look at the project once we get the specific information from the agencies, whether it is in this bill or whether we take it up under the Watershed Subcommittee.

Now, this is something that I want to advance to you at this point.

Mr. LIPSCOMB. Thank you.

Mr. Clausen, I want to express my thanks to you and to the chairman of the committee for looking at this project in the San Gabriel Valley and for all of the effort you put into it.

I completely understand and I am sure that the people who are interested understand that there is a question of whether or not it could be included in an act such as you are working on here, but the important thing is that it is getting consideration——

Mr. CLAUSEN. Yes.

Mr. LIPSCOMB (continuing). And that we can try, at this time, to put it together well enough to have it authorized. But I thoroughly understand the problem of including it in an act of an emergency nature, such as you have before you today.

Mr. DENNEY. Mr. Chairman.

Mr. JOHNSON. Mr. Denney.

Mr. DENNEY. Mr. Lipscomb, I certainly want to thank you for your forthright statement.

I had the privilege of coming out to see the terrible disaster you suffered.

I am concerned; you referred to the San Gabriel watershed in Public Law 566. Now, was that authorized by both of the Agriculture Committees, House and Senate?

Mr. LIPSCOMB. No; it has never been authorized by either. What has happened, it has been before the Agriculture Committee in the past, it has come up from the Agency to the committee, but because of a question in the act, the interpretation of the act——

Mr. DENNEY. Do you mean because it might benefit a city?

Mr. LIPSCOMB. That is correct. The Agriculture Committee, as I understand it, has interpreted the act to mean that Public Law 566 should be beneficial to agricultural areas.

It so happens that this project that I am proposing here is considered an urban area project and therefore the committee has not approved it in the past.

Mr. DENNEY. The reason I am asking, I have the same problem in my State and I have the idea that any city in an agriculturally oriented area, if you can protect that city where the farmers actually do their business, it helps the economy of the farmer just like it helps the economy of that city. I think that this is something maybe we had better work on from the standpoint of either amending that law or getting to the authorizing committees.

You know, we have the other problem; that is, we authorize some of these projects and then the Bureau of the Budget, the executive branch takes the position they are the ones that determine whether or not they will be funded. But that is not your problem here. Your problem is whether or not a city, if it is benefited, whether that shuts it out, shuts out that area from being included in a small watershed project. It that not right?

Mr. LIPSCOMB. That is correct.

Mr. DENNEY. I mention this legislative history on this, Mr. Chairman, because I think this is something we should all be concerned about. I think we have reached a stalemate and now is the time to straighten this matter out.

I do appreciate your comment.

Mr. CLAUSEN. Would the gentleman yield?

Mr. DENNEY. Yes.

Mr. CLAUSEN. Actually Public Law 639 may conceivably give us at least an avenue under which to pursue it. This is basically the thrust of the law, that it permits joint review and studies of projects between the Corps of Engineers and the Forest Service in a watershed project. So I think the gentleman has made a very excellent point, either an amendment to this or a consideration under Public Law 639. These are the areas we will be looking at.

Mr. JONES. Will the gentleman yield?

Mr. CLAUSEN. Yes.

Mr. JONES. It is my understanding that under Public Law 566, the Agriculture Committee looked on it with disfavor since it included urban areas. Therefore, the Corps of Engineers has examined the project to a larger scope whereby it would be qualified as a project of the Corps of Engineers and will not necessarily—if the reports are favorable, they would be of no further interest to the prosecution of the project.

Mr. LIPSCOMB. Thank you, Mr. Chairman, for the privilege of being here.

Mr. JOHNSON. Thank you, Congressman Lipscomb.

Our next witness will be the Honorable Robert B. Mathias, of California, in whose district severe damage has occurred.

STATEMENT OF HON. ROBERT B. MATHIAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MATHIAS. Thank you, Mr. Chairman. It is an honor to be here to testify before this distinguished subcommittee.

I am happy to testify on behalf of H.R. 6508 and H.R. 6509, the California Disaster Relief Act of 1969, which I cosponsored with Congressmen Harold Johnson, Don Clausen, and Glenn Anderson, among others. This legislation will provide assistance to the State of California for the restoration and reconstruction of areas damaged or destroyed by storms, floods, landslides, and high waters which occurred during December 1968 and January and February 1969. In particular, this act will provide financial assistance for the monumental task of repairing and rebuilding the road, street and highway networks and to provide emergency loans for individuals, businesses, farmers, and others affected by the floods and storms.

I am confident that your recent weeklong survey in California of the flood and storm damage provided proof that additional Federal assistance is desperately needed, beyond that which is already available.

The people of central and southern California were dealt a severe blow with the natural disasters which destroyed huge amounts of public and private property and inflicted much personal suffering on the citizens. It is estimated that the disaster caused damages exceeding $425 million and more than 100 lives are known to have been lost.

President Nixon has responded to the call for Federal emergency assistance by declaring 33 of California's 58 counties as disaster areas. Through the coordination of Federal agencies by the Office of Emer-

gency Preparedness and the work of the Corps of Engineers and the American Red Cross, California is now beginning to repair and restore its damages and return to some degree of normalcy.

The extent of damages, however, far exceeds the emergency Federal assistance which is now available. Existing programs authorized by the Federal Disaster Act of 1950 and the Disaster Relief Act of 1966 offer a wide variety of supplemental aid to State and local governments.

Additional disaster relief is provided to individuals and State and local governments under separate programs from Federal agencies such as the Small Business Administration, Farmers Home Administration, Federal Housing Administration, Veterans' Administration, Bureau of Public Roads, Department of Health, Education, and Welfare, Corps of Engineers, and others. These all provide valuable needed relief, but an increase in Federal financial assistance is still needed.

All of the Federal agencies who have responded to the call for emergency assistance have provided excellent service to disaster areas in my district. I have received no complaints on the quality of Federal relief provided. The only complaints have been that not enough financial assistance is available from the Federal Government.

The Office of Emergency Preparedness reports to me that the total estimated public damage throughout California, as of February 28, totals $94 million. Other estimates for the total public and private damages run as high as $425 million.

Now, my congressional district is located in the San Joaquin Valley, and is comprised of Kern and Tulare Counties, two of the top agricultural counties in the Nation. These two counties were more fortunate than others, although estimated figures show that the total loss, both public and private, in the 18th Congressional District is $20 million, $16 million in Tulare County, and $4 million in Kern County.

The river levees and numerous multiple-purpose dams and reservoir projects in the San Joaquin Valley functioned as designed, thereby preventing additional damage to Kern and Tulare Counties. The Terminus, Isabella, and Success flood control reservoirs prevented millions of dollars in damages to my district. These conservation projects paid for themselves during the recent disaster.

In my district, the agricultural industry suffered the greatest loss. This economic loss resulted from extensive damages to land, fences, farm buildings, livestock, and crops. The Nation, as well as California farmers, will suffer the consequences of crops damaged or destroyed and from the delay or inability of farmers to plant in water-soaked fields.

Mr. Chairman, I am afraid the agricultural industry of the San Joaquin Valley will suffer more economical and personal losses because of the additional flooding that will come from the snowmelt of the Sierra Mountains. The potential now exists for this new flooding to exceed the damages created by the recent floods and storms.

On Monday, March 17, in Bakersfield, Calif., I conducted a news briefing for city and county officials and members of the press. The purpose of this news briefing was to clarify the present flood situation and to evaluate the potential dangers which will be created by the spring thaw and runoff. Col. George B. Fink, Sacramento district engi-

neer of the Corps of Engineers, gave a briefing on the enormous snowpack and runoff that will come in April to July.

The reason for this great concern over the Sierra snowpack and the eventual runoff is because of the unusually tremendous amount of snow that has accumulated. In fact, the California Department of Water Resources reports that the water content of the deep Sierra snowpack is fast approaching or has already exceeded records set in 1938, 1952, and 1967.

Colonel Fink and his associates informed us that even with the measures—which are costing millions of dollars—that are being made to prevent serious flooding, a minimum of $16 million in damages will occur to Kern and Tulare Counties.

A total of 800,000 acre-feet of water, over and above that which can be controlled and diverted for useful purposes, will flood agricultural lands in my district. This excess water will flow from the Kern, Tule, and Kaweah Rivers. The Corps of Engineers estimates that the excess water will cause damages to agricultural lands at the rate of $20 per acre-foot, for a grand total of $16 million. They stated strongly that the $16 million is just a minimum estimate.

The Corps of Engineers also guaranteed us that no new damages will come to urban areas. It is their intent to keep to a minimum the downstream damages, but they are predicting loses in the neighborhood of at least $16 million.

Let me emphasize that the estimated $16 million in damages will come primarily to the agricultural industry of Kern and Tulare Counties.

In view of the fact that heavy damages will come to the San Joaquin Valley as a result of the spring thaw, I recommend to the subcommittee that the California Disaster Relief Act be amended to cover these damages.

I believe it is essential that we make provisions to provide the relief and assistance needed by those farmers who will be hit by the spring floods. Their loss is a big loss to the Nation.

Mr. Chairman and members of the subcommittee, California is not asking the Federal Government to assume the full responsibility of restoring and rebuilding disaster areas. We are only asking that Federal assistance be proportionally increased, above that presently available, to meet demands.

So I request that the members of the subcommittee give favorable consideration to the California Disaster Relief Act of 1969.

Thank you very much, Mr. Chairman.

Mr. JOHNSON. Thank you, Congressman Mathias.

We heard from some of your people when we were in their area and we explained to them that you had contacted us prior to going out and we would do everything we could to try and hear from you when we returned to Washington for the hearings on the legislation, and I want to say to you, you have given us a very good statement in connection with damages in the area.

There is one part of the bill, I think, if we are going to prepare for the worst, and that is in section 1, to include the spring runoffs. Because you have pointed this up very well; in the southern San Joaquin area, with snowpacks, there is no way we can keep water off some lands, and the corps is going to do everything they can. They

have held their Federal-level meetings here and held their meetings with the State governments and local governments, private enterprise, trying to put teams there to cope with this in several river basin areas in the United States. We just hope the corps can keep damage to the minimum out there.

Mr. MATHIAS. Mr. Chairman, I think you are absolutely right and I think it is important to not only look at what has happened, but what will happen between April and this July in the runoffs from the very heavy snows.

Mr. JOHNSON. Questions?

Mr. CLAUSEN. It is an excellent statement, Bob. I think that you are aware of the fact that the Federal agencies will testify after the Members of Congress from the respective districts, give their testimony. I believe they will be touching on a recommendation. I know they have this operation for site program going on. We are looking forward to it with great anticipation as to what their recommendation will be.

Thank you very much.

Mr. MATHIAS. Fine. Thank you.

Mr. JOHNSON. Thank you.

Our next witness will be the Honorable Jerry Pettis, representing the great county of San Bernardino. He has with us his flood control engineer, Mr. Sidler.

Thank you.

STATEMENT OF HON. JERRY L. PETTIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, ACCOMPANIED BY W. A. SIDLER, FLOOD CONTROL ENGINEER, SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

Mr. PETTIS. Thank you, Mr. Chairman.

I would like to join my colleagues who have testified this morning in expressing my gratitude and that of the people of San Bernardino County to this distinguished committee for its thorough and thoughtful consideration of the problems arising out of disasters we have experienced this year.

We greatly appreciated your trip to California in February to view firsthand the damage from the January flood. We also appreciate the opportunity today to expand on the information we submitted to you at that time, and to bring you up to date on what must be regarded as the worst natural disaster ever suffered by the people of my district in terms of dollar loss.

Mr. Chairman, I would like to express my gratitude and that of the people of my district to this distinguished committee for its thorough and thoughtful consideration of the problems arising out of the disasters we have experienced this year.

I will have to qualify that statement somewhat—the two big storms in January and February of this year wrought the greatest havoc ever caused by the elements in San Bernardino County's history—in terms of dollar loss. The damage estimate now in both the public and private sectors totals more than $53 million, and that figure is still climbing. No other disaster we have ever experienced comes close to that. The total damage caused by the devastating 1938 flood was $12

million, although if that were to be adjusted to the present-day value of the dollar, it might approach the impact of the 1969 losses.

Fortunately, our recent floods did not result in a record loss of life. Fourteen deaths were attributed directly to the 1938 flood in San Bernardino County, compared with nine deaths this year, despite the fact that water flows equalled that of 1938 in many streams, and even exceeded them in some. And the population of the county has increased five fold in that 30-year interval.

The point I would like to make here is that we have had this year storms comparable to those of 1938, yet fewer persons lost their lives, although five times as many people were living in the path of the flood. We can attribute this in large measure to the flood control works completed and in operation in my district since 1938. Without those works, it is reasonable to estimate that 70 to 100 persons would have died in the January and February storms. We can talk about the value of flood control works as investments that are quickly repaid in dollar savings, after they handle efficiently the runoff from a couple of storms, and this is very true. But you can't measure the true value without considering the life saving aspects of flood control, nor the terrible disruption of the lives of those individuals whose homes are damaged or destroyed without flood control.

I intend to point out later in this statement exactly how valuable to the people of my district flood control projects could be the next time we have a similar storm—and how much money we would not have to ask from the Federal Government, to rebuild roads and bridges, and to finance low interest loans to repair and rebuild homes, farms and businesses. However, I realize the legislation this committee is presently considering is specifically to help with the rebuilding process, and this is very necessary. Included with this statement is a report prepared by the San Bernardino County Flood Control District which details the damage to public and private facilities, from the January and February storms. It is similar to the report the district submitted to this subcommittee in Los Angeles last month—between storms. The rainfall, total damage and loss of life figures were updated to include the February storm results. The loss from the two storms amounts to $34,210,000 in public damage and $19,363,000 in private damage, or a total of $53,573,000. This figure is not final, and in fact after this was compiled Wednesday evening, the Santa Fe Railroad came in with a report that it suffered $3½ million lading damage—that is, damage to material transported in its train which was wrecked by the rampaging Mojave River. (Damage to the train itself was included in the previous figure.)

The public damage is bad enough, but roads can be repaired, bridges rebuilt, public buildings cleaned up or rebuilt—all it takes is money, and I hope Congress will give us a hand. The real heartache is in the losses suffered by individuals. We had 70 residential dwellings destroyed in San Bernardino County, and another 680 severely damaged. In almost every case, they were the homes of persons of modest means, and limited income. We have cases of persons who have worked all their lives, paying for their homes, finally reaching retirement when they had planned to settle down and try to make a small pension cover their living costs—something that might have been possible because their homes were paid for. Then they lost their homes—wiped out

completely, or damaged so severely that they require considerable funds to bring back to livable conditions. The best we can offer them, apparently, is a loan at 3 percent interest, to rebuild. But they have to pay it back. And under present regulations, we can't even do that, if they can arrange for loans from commercial sources, at 7, 8, 9 percent.

I would like to second the point made by my distinguished colleagues yesterday, that the very least we should do for these unfortunate flood victims is to make Small Business Administration loans available without requiring a pauper's oath, and to authorize them to the full extent of the disaster suffered.

The bills we are considering now, if enacted, will help us recover from this disaster. But I feel very strongly that Congress must do more than that, and do it now—this year. We have to realize the imperative nature of our problem, and to bring flood control works into the highest priority. Floods are costing us too much money, and the costs go up each time we have one.

It might help if my distinguished colleagues from California would join me in an effort to convince Congress that severe flood damage occurs quite frequently in California—often enough, in fact, to justify a crash program of flood control. If we had undertaken such a crash program immediately after the severe 1965 storms—which should have awakened us to the need—and if we had cut through the red tape which so often smothers these projects and drags them out for years—the projects we need to protect most of the flood-prone areas in my district would have been far enough along to have prevented most of the damage from the 1969 storms.

Let's not wait for further massive damage totals to get us moving. Let's proceed in the most urgent fashion to build the facilities we need to prevent this damage, rather than wait until we have another flood and then scratch around for the money to bail ourselves out again.

We will have potentially damaging storms again. The record shows that California—and I'm talking about my district in "sunny" southern California—has suffered severe damage from rainwater runoff at least 10 times in this century—in 1910, 1914, 1916 (when nearly all the county's newly-constructed bridges were wiped out), 1938, 1943, two in 1965, 1966, and two so far in 1969. In 1938 and again in 1943, due to washouts on Lytle Creek, the three major transcontinental rail lines running through San Bernardino Valley were cut and out of service for days. This posed a dire threat in 1943, when the rails were transporting war material for the buildup of supplies needed in the Pacific campaigns. This threat jolted the Federal Government into immediate action on flood works on Lytle Creek. It is worthwhile to note that, although the 1969 storm was comparable to those in 1938 and 1943, those rail lines were not damaged. That's an investment that certainly has paid off.

The railroads were out of service in other areas where projects have not been completed.

In 1938, the city of San Bernardino suffered severe damage from the runoff from Lytle, Twin, and Warm Creeks and Devil Canyon. Since then, $25 million worth of Federal and local projects have been constructed to control the runoff from those streams—an investment that was more than repaid during the 1969 storms alone. The Flood Control District estimates that damage in the city would have exceeded

$100 million this year from those four streams without the projects—but we lost nothing to those streams this time. In 1938, 10 lives were lost to the waters from the same four streams—no lives were lost this time.

That's what we accomplished with our flood control works. Now here's what we have failed to accomplish:

The January storm caused $9,500,000 damage in the Cucamonga area, and also lost one life, as a result of Cucamonga Creek running wild. It is ironic that we have an authorized flood control project for Cucamonga Creek which would have prevented this had it been completed. The entire project will cost about $30 million. Another $3½ million in damage was caused by the February storm in Cucamonga. Now, we are at the point where this year alone, $13 million—nearly half the cost of the entire project—has been lost, because the project had been kicked around for years. We did finally get it authorized last year, but no money was appropriated for it. I fully expected that some money would be included in the Corps of Engineers budget for fiscal year 1969–70, to initiate planning and get the project going. However, on almost the same day the first rain fell at the beginning of the January storm, I happened to note in a copy of the proposed budget for fiscal year 1969–70 that the Corps had included not one dime for Cucamonga Creek. I plan to ask that an emergency authorization of $50,000 be made now—in the current fiscal year—to initiate preconstruction planning, and to seek a budget authorization for fiscal year 1969–70 of $800,000 for planning, to promote the earliest possible construction start. Construction could then be started the following year.

This is typical of the timetable that should be followed on other vital projects, in other districts as well as my own, if we expect to have any significant increase in flood protection within the next 4 or 5 years. In addition to a speedup such as this, we must also find ways to eliminate the long, drawn-out and unnecessary delays in gaining authorization for a project. A vivid example of this is San Timoteo Creek, which which last month devastated a large section of my own home town of Loma Linda. This creek is presently included in a survey being made by the Corps which, if allowed to proceed at the normal pace, will be 10 years before any work is started. This is an area where more than $3 million damages was done, largely to low-income families. We can't wait 10 years to give this community some protection.

The San Bernardino County Flood Control District reports that projects totaling $219,978,100 in cost are needed to complete the flood control protection we need in the county. The local share of this cost will amount to about 20 to 30 percent. This means that for less than $200 million in Federal expenditure we can prevent damages of more than $50 million the next time we have storms such as we have had this year. At least $50 million. The next time, with the growth we are experiencing, the price would go up.

Mr. Chairman, I deeply appreciate the opportunity to point out the severe damage we have suffered and the need for assistance from the Federal Government, to recover from this disaster, and I strongly urge you to take immediate action on this matter. But even more urgent is the need to provide protection against future storms, so we won't have to keep coming back every 4 to 6 years asking for greater and greater amounts.

With permission from the chair, I would like to have entered into the hearing record a report from the San Bernardino Board of Supervisors.

Mr. JOHNSON. Without objection so ordered.

(The report referred to follows:)

SAN BERNARDINO COUNTY,
FLOOD CONTROL DISTRICT,
San Bernardino, Calif., March 21, 1969.

HOUSE OF REPRESENTATIVES PUBLIC WORKS COMMITTEE,
Subcommittee on Flood Control.

GENTLEMEN: The Board of Supervisors of the County of San Bernardino is deeply appreciative of the interest and concern of your Committee in the present flood disaster affecting Southern California, including the County of San Bernardino. This Board is particularly grateful for the hearings called by your body at Los Angeles on this date to review this matter, and for your personal observations of the ravages of this flood.

The San Bernardino and Mojave River valleys of San Bernardino County have experienced a particularly serious disaster with private and public damages estimated at this date to be $53,573,000. This amount may be expected to increase as further and more detailed surveys are made. In addition, millions of dollars in indirect or intangible damages have been occasioned by this disaster. This includes railroad down time, loss of business by the shutdown of commercial and industrial concerns, and inestimable private inconveniences and income loss. It is regrettable that 9 lives were last in San Bernardino County as a result of this flood but fortunate that the total was not much greater.

This devastating flood, as serious as the destruction has been, is generally construed in San Bernardino County to be only about half as severe as the great flood of 1938 when 14 lives were lost. Furthermore, it has been recognized that during the last 100 years, even the flood of 1938 has been equalled or exceeded at least four times, in 1862, 1867, 1891, and 1938. It has also been established on the Santa Ana River that the flood of 1862 was three times the magnitude of that of 1938.

With these factors in mind, coupled with the recent devastating flood of January, 1969, it is apparent that the people of San Bernardino County, approaching a million in number, are exposed to the threat of devastating and life-taking floods with potential damages to public and private properties of hundreds of millions of dollars. This threat is to the entire county, which is America's largest, adjacent to Los Angeles, and is rapidly developing as one of the fastest growing industrial complexes.

Flood flows across the San Bernardino Valley pose extreme threat to virtually every communication and transportation avenue between the greater Los Angeles metropolitan area, and all points east through the Cajon or San Gorgonio Passes. A review of the map accompanying this statement will show all major transcontinental highways, railroads, and major utilities serving Southern California subject to severance by flooding on any single stream or combination of streams. Thus, a major flood through the San Bernardino Valley will isolate the Los Angeles metropolitan area. In the recent flood, all railroads and highways through the Valley were severed or damaged.

In view of this tremendous flood threat to life, property, and communications, it is clear that an urgency exists to accelerate the existing Corps of Engineers' Federal flood control program to bring about the physical construction of the urgently needed channels to preclude even greater disasters. A tabulation enclosed herewith portrays the program and urgent measures required.

San Bernardino County appreciates the opportunity afforded by this hearing, and respectfully but urgently requests the Public Works Committee to assist in the pursuit of this program, so vital not only to San Bernardino County, but to the State of California, and the entire nation.

Respectfully requested.

RUBEN S. AYALA,
Chairman, Board of Supervisors.

FLOODS OF JANUARY AND FEBRUARY, 1969, SAN BERNARDINO COUNTY

ESTIMATES OF PUBLIC AND PRIVATE FLOOD DAMAGE

	January	February	Total
Public damage:			
County of San Bernardino Road Department	$2,500,000	$3,000,000	$5,500,000
State of California Division of Highways	3,000,000	5,000,000	8,000,000
State of California Department of Water Resources (California aqueduct)		1,750,000	1,750,000
San Bernardino County Flood Control District	3,317,000	4,243,000	7,560,000
Miscellaneous county agencies	500,000	500,000	1,000,000
U.S. Forest Service	500,000	250,000	750,000
Ontario International Airport	20,000	20,000	40,000
California Air National Guard, Ontario airport	10,000	10,000	20,000
Marine Supply Depot, Barstow		5,000	5,000
School districts	376,000	100,000	476,000
Incorporated cities	1,081,000	1,283,000	2,364,000
Public utilities	1,704,000	3,081,000	4,785,000
Railways	660,000	1,300,000	1,960,000
Total, public damage	13,668,000	20,542,000	34,210,000
Private damage:			
Mountain:			
Residential	1,500,000	820,000	2,320,000
Private roads	300,000	500,000	800,000
San Bernardino Valley, agricultural		2,000,000	2,000,000
Mojave River, agricultural	1,000,000	2,000,000	3,000,000
Mojave Valley, residential		480,000	480,000
San Bernardino Valley:			
Residential	4,000,000	3,267,000	7,267,000
Commercial and industrial	2,200,000	1,296,000	3,496,000
Total, private damage	9,000,000	10,363,000	19,363,000
Grand total	22,668,000	30,905,000	53,573,000

Note: Above estimates do not include indirect damages.

LEGEND
COMPLETED FEDERAL FLOOD CONTROL PROJECT
SURVEY COMPLETE OR AUTHORIZED — NOT CONSTRUCTED
UNDER PRESENT SURVEY
INTERSTATE OR STATE HIGHWAYS
TRANSCONTINENTAL RAILWAYS
MAJOR INTERSTATE UTILITIES
MOUNTAIN BARRIERS
(35) STORM RAINFALL (INCHES) — FLOOD OF JAN. 1969
FLOODED AREAS — FLOODS OF JAN. 1969
TO LAS VEGAS and POINTS EAST
MOJAVE RIVER
MOJAVE RIVER FORKS DAM
Elev. 10,080
SAN BERNARDINO MOUNTAINS
SAN GABRIEL MOUNTAINS
Elev. 8859
Elev. 6537
CAJON PASS
LITTLE & CAJON CRKS.
UPPER WARM CREEK
Elev. 10,624
Elev. 11,502
SAN BERNARDINO MOUNTAINS
CLAREMONT
UPLAND
TO LOS ANGELES
ONTARIO
POMONA
CHINO
SANTA ANA RIVER
MILL CREEK
SAN TIMOTEO CREEK
SAN GORGONIO PASS
TO PALM SPRINGS and POINTS EAST
RIVERSIDE
SANTA ANA RIVER
CORONA
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
SAN BERNARDINO VALLEY FEDERAL FLOOD CONTROL PROGRAM
FLOOD OF JAN. 1969
SCALE IN MILES
Planning File No. RM-D3-17

CORPS OF ENGINEERS FEDERAL FLOOD CONTROL PROGRAM

URGENT REQUIREMENTS, FISCAL YEARS 1968–69 AND 1969–70

Project	Status	Total Federal construction cost	Fiscal year	Action required
Mojave River Forks Dam	Construction initiated	$14,750,000	1968–69	
		----------	1969–70	Budget authorization of $6,400,000 to expedite flood protection.
Lytle Warm Creeks	Preconstruction planning completed.	12,200,000	1968–69	
		----------	1969–70	Budget authorization of $1,500,000 to initiate construction.
Cucamonga Creek	Authorized, not funded	30,700,000	1968–69	Emergency authorization of $50,000 to initiate preconstruction planning.
		----------	1969–70	Budget authorization of $800,000 for planning to promote earliest possible construction start.
Upper Warm Creek	Survey complete, in process, to Congress for authorization.	13,500,000	1968–69	Emergency project authorization and emergency authorization of $50,000 to initiate preconstruction planning.
		----------	1969–70	Budget authorization of $500,000 to promote earliest possible construction start.
Day-San Sevaine-East Etiwanda.	Complete survey, June 1969.	27,800,000	1968–69	
		----------	1969–70	Emergency project authorization with budget allotment of $500,000 to promote earliest possible construction start.
Santa Ana River Basin (includes these San Bernardino County priority projects):	Survey in process			
Wilson-Wildwood Channel (Yucaipa).	----------	[1] 9,500,000	1968–69	Immediate public works committee authorization of accelerated interim reports to enable earliest possible flood control measures in critical areas.
San Timoteo Creek (Loma Linda).	----------	[1] 8,100,000	----------	
Zanja-Mission Channel (Redlands).	----------	[1] 12,000,000	1969–70	Emergency authorization of $200,000 to fund accelerated surveys.
Rialto Channel (Rialto)	----------	[1] 6,000,000	----------	

[1] Estimated.

Mr. PETTIS. There are two forms. This is the one with the projects and the dollar losses, which you will find in here in the various areas, both public and private, and there is the section on the projects that have been brought before the Congress in times past through this year. And this is my full testimony. I will abbreviate just a few remarks for the committee this morning.

Mr. JONES. Mr. Chairman.

Mr. JOHNSON. The gentleman from Alabama.

Mr. JONES. Mr. Pettis, do you have extra copies?

Mr. PETTIS. Yes. I think the clerk has them, Mr. Chairman.

I have with me today Mr. Sidler, who is flood control engineer for San Bernardino County. Mr. Sidler joined the flood control department in this county in 1938, which was a significant year to begin a career in flood control in California. He has prepared a report on flood damage in San Bernardino County and has listed in this report, which you have before you, the top priority projects which we feel might be undertaken and completed with every sense of urgency if we are to avoid a repetition of this year's disaster. So I would like to have that in the record of the committee.

As I have mentioned, the two big storms of January and February have wrought the greatest havoc ever caused by the elements in San Bernardino County's history in terms of dollar damage. The estimate now in both the public and private sectors is more than $53 million, and that figure still climbs. It does not, for example, include $3.5 million just reported by the Santa Fe Railroad for damage to merchandise it was carrying across this district and was wrecked by the rampaging Mojave River.

Of the $53 million, $34,210,000 is in the public sector and $19,363,000 in the private.

I think it is important to emphasize that most of this damage could have been prevented had the full system of flood control works which we need to protect San Bernardino County been completed and in operation.

It would cost about $219 million to complete all of these projects, of which some 20 to 30 percent would be borne by the flood control district and the balance by the Federal Government.

To show just how good an investment flood control works can be, I will cite the example of the streams which devastated San Bernardino in the 1938 and the 1943 floods: Lytle, Twin, and Warm Creeks and Devil Canyon. The runoff from these sources completely isolated San Bernardino in those floods, cutting the three transcontinental railroads into and out of Los Angeles and which traversed the valley, washing out all the roads leading out of the city and destroying the utility lines.

Several hundred homes were damaged or destroyed and, most tragic of all, 10 lives were lost in those rampaging waters.

Since 1943, however, we have controlled the flood runoff from those streams with projects costing $25 million, $20 million of it in Federal money.

Mr. Sidler estimates that without those projects, the January and February storms would have caused more than $100 million in damage. That is a pretty good return on this investment, I think.

And what is more, since the population of San Bernardino and San Bernardino County is now three times what it was in 1938 and an even greater increase in the immediate surrounding area, the loss of life could have totaled 30 to 40 persons in the recent storms, or more.

But not a single death during these two storms this year is attributed to waters from those streams in San Bernardino, even though we did lose nine lives in the storm in the county.

It may seem incongruous for Congressmen from California to be painting such a dismal picture of the threat from floods. Our chamber of commerce and tourist industry representatives might not appreciate our zeal in this regard. But we must convince our colleagues that severe flood damage occurs quite frequently in California, often enough in fact to justify a crash program of flood control.

We have had 10 major extremely damaging floods in San Bernardino County during this century and every time we have another, it is more costly than the one before.

Mr. Chairman, I sincerely appreciate this opportunity to apprise you of the widespread havoc that the recent storms dealt to the San Bernardino County area and I strongly implore you to take immediate and affirmative action on this legislation.

Mr. JOHNSON. We want to thank you, Mr. Pettis.

Do you have anything further, Mr. Sidler?

Mr. SIDLER. I believe the yellow report covers the program that we do desperately need.

This, by the way, is the same report which was delivered to you in Los Angeles in February. You will note that some of the figures have not been altered to adjust for the February storm, including total damages, loss of life, and also the program that we so desperately need to give priority projects underway.

Mr. JOHNSON. We want to thank you, Mr. Sidler, for coming here and participating. You were very helpful in our meeting in Los Angeles and the field trip we took out over the area, pointing out very well what you stated, there needs to be further improvements in those river canyons if we are going to prevent disaster in the future.

This committee has been very active in flood control authorizations. We are doing the best we can. Sometimes it is hard to find money to construct them. I know the needs there. It was certainly pointed up in January, it was repeated in February, and the threat is still there. We have not reached the spring thaw.

Any questions?

Mr. JONES. Mr. Chairman, I cannot help but observe in the petitions of the various witnesses to make permanent public works projects available to see that these incidents do not reoccur is the fact that in the budget this year, in the field of water resource development, particularly the Corps of Engineers projects, can be cut to an unprecedented low amount. The new increase, or higher increase in interest rate put on the shelf 450 projects that had heretofore been authorized by this committee.

At the present rate of appropriation and the present rate by which the Corps of Engineers is operating, we are going to run the pipeline so small that in 1974, we will have approximately $500 million to prosecute these very vital and necessary projects.

It is not a very impressive picture until we look at the total necessity of these projects and put them in proper perspective in our total national goals for improving this country. I wish we did not face that unpleasant and unhappy prospect.

Certainly if you are going to do the things that are absolutely necessary, we are going to have to change about 180 degrees and start looking upon it as being an investment that we cannot afford to do without.

Mr. PETTIS. You are very right, Mr. Chairman. Thank you.

Mr. CLAUSEN. Well, I want to join my colleagues in paying my compliments to the gentleman from San Bernardino. There is none more diligent on behalf of the projects than he has been. In fact, I used to go to bed thinking he was great as a result of pursuing his projects.

Pursuant to what Mr. Jones has said and while I see some of my other colleagues here in the room, let me say I think we are going to have to start a congressional revolt on Capitol Hill to try to impress upon all of the people responsible for budget planning, on the need to give the flood control and water conservation projects of this Nation a higher priority in the overall consideration of public expenditures. And you just heard from the Democratic Chairman, the very able gentleman from Alabama, Mr. Jones. You are now hearing from the ranking Republican. So this is not a partisan problem. We both agree, those of us who have visited most of these sections of the country, just as you did in your own congressional districts, we are totally aware of what is going to be required to get at the heart of the problem.

There is no community that can move forward in developing an orderly economic developed program unless they have secured against these floods.

I will not belabor this any more, because you have heard me on this. I have also passion for trying to get some support. But regrettably people tend to forget, once the flood subsides.

Let me give you one other startling figure. The social programs in this Nation have gone up in the last 3 years by 200 percent, while the water resources appropriations of the last 3 years have gone down 25 percent. Now, I think that there is a means to an end. I believe that we can reverse this and actually give a higher priority to dollars in this direction, so that you could actually get at the social end as well. I think if we spend the dollars on flood control and water conservation projects, you are going to have an awful lot of people get some jobs and they will be secure from the major floods.

I am hopeful, Mr. Pettis, that your testimony will cover some of the problems that you faced in that Loma Linda section you were talking about. Did you cover this in your testimony?

Mr. PETTIS. Yes, $3.5 million in Loma Linda alone, just a small little town of 3,000 people.

Mr. CLAUSEN. We have been talking to the Small Business Administration people about this problem of people having to sign a pauper's certification. We were very concerned about this.

Mr. PETTIS. Thank you very much, Mr. Chairman.

Mr. JOHNSON. Thank you, Congressman Pettis and Mr. Sidler.

We have with us two State assemblymen who have to get back to California. We have assemblyman Ken MacDonald of Ventura County and assemblyman Don MacGillivray of Santa Barbara.

If you two gentlemen will come forwrd, we will hear you now.

Mr. JONES. Mr. Chairman.

Mr. JOHNSON. Yes.

Mr. JONES. I would like to observe that these two assemblymen have been quite prominent and certainly knowledgeable by their continuous activities in the water resource development. In our trips to California, we could not help but take note of their energies and their zeal in appropriating their talents in that direction.

We are certainly pleased to have you.

Mr. JOHNSON. Before we move forward, I would like the record to show we were just visited by students of the University of Akron, Ohio. I am sorry they left before we recognized them, but they were here visiting the Subcommittee on Public Works.

You may proceed, Mr. MacDonald.

STATEMENT OF ASSEMBLYMAN KEN MacDONALD, VENTURA COUNTY, CALIF., ACCOMPANIED BY ASSEMBLYMAN DON MacGILLIVRAY, SANTA BARBARA, CALIF.

Mr. MACDONALD. Mr. Chairman, I am Ken MacDonald, of Ventura County. Joining me at the table today is Assemblyman Don MacGillivray, who represents Santa Barbara County in the California legislature. We are here today to probably repeat some things you have already heard. We are going to keep our testimony brief and to the point.

We are here obviously to support the legislation under consideration offered by you, Mr. Johnson and Mr. Clausen.

I have made a very brief summary of losses in Ventura County.

(Summary follows:)

VENTURA COUNTY FLOOD AND STORM DAMAGE, MARCH 21, 1969—HOUSE COMMITTEE ON PUBLIC WORKS

Floods of January and February 1969—Breakdown of estimated damages

	Millions
County flood control facilities	$7.8
County roads	3.6
County water and sanitation	.3
County parks	.3
Miscellaneous county	.1
Ventura Port District facilities	2.0
Private boats	2.0
Incorporated cities (see attached breakdown)	4.8
Sanitation facilities (exclusive of county and incorporated city facilities, see attached breakdown)	1.1
State highways in the county (see attached breakdown)	2.3
Agriculture (see attached breakdown)	12.1
Residential (damages have not been finalized—rough estimate only)	1.8
Utilities and transportation under P.U.C. (damages to industry, railroads, transportation, gas, electricity, etc., are not available. Therefore the above dollar damage is a rough estimate only)	5.0
Total damages	43.2

NOTE.—There are, undoubtedly, other damages that have not been reported.

January and February storms—Total damages

Fillmore	$900,000
Santa Paula	50,000
Ventura	2,750,000
Ojai	360,000
Oxnard	300,000
Thousand Oaks (sanitation facilities)	300,000
Port Hueneme	2,500
Camarillo (does not include Camarillo Sanitary District which would add an additional $50,000)	80,000
Ventura Marina	2,000,000
Total damages—Incorporated cities	4,800,000

Sanitation facilities

Meiners Oaks Sanitation District	$140,000
Oak View Sanitary District	825,000
Simi (Sanitation, Inc.)	100,000

State highways in Ventura County, estimated damages, floods of January and February 1969

Highway 118 bridge at Saticoy	$350,200
Route 150, Santa Paula to Ojai	338,800
Highway 126, Santa Paula to Castaic	613,150
Highway 33 above Ojai	798,100
Miscellaneous	170,050
Ventura County grand total	2,270,300

COUNTY OF VENTURA, DEPARTMENT OF AGRICULTURE, MEMORANDUM

MARCH 12, 1969.

To: Mr. Loren Enoch, county executive.
From: C. J. Barrett, agricultural commissioner.
Subject: flood damage—agriculture, Ventura County.

(These are preliminary estimates in response to requests for "some" indication of damage to agriculture from cold and floods. L. W. Enoch.)

We present a report of damage done to agriculture as a result of the recent storms that created a disaster area in Ventura County.

Agriculture was hard hit and from past records 1969 will undoubtedly go down as the true disaster year.

During the winter month of December 1968 a very damaging cold spell was felt in the Southland.

Severe damage to citrus fruits (48,000 acres) was recorded.

Estimated by persons capable of forecasting damage revealed conservative figures as follows:

	Percent of damage	Estimated value
Avocados	30	$800,000
Lemons	30	6,000,000
Oranges	40	4,000,000
Total		10,800,000

This figure will reduce the total amount of fruit that would have made first grade. While all of the damaged fruit will not be entirely lost—a lower grade will result, which will, in turn, bring losses to growers.

In addition to the fruit loss young avocado and citrus trees in certain areas were either killed or severely damaged, which in some cases will need replacing or will severely delay the growth of these trees.

Flood damage resulted in January and February, 1969.

The following figures reveal our estimated damage.

In our survey we contacted growers in each area of the County and recorded figures only where severe damage occurred.

$10 million in January frost.

COUNTY OF VENTURA, DEPARTMENT OF AGRICULTURE, MEMORANDUM

MARCH 12, 1969.

To: Loren Enoch, county executive.
From: C. J. Barrett, agriculture commissioner.
Subject: Ventura County—Flood damage to agriculture.

We know there were many cases where some damage resulted, but time and personnel did not permit a 100% coverage. The major damage resulted in those areas close to or adjacent to water channels.

Not only did the Santa Clara River overflow its banks and did tremendous damage, but the Ventura River, San Antonio Creek and numerous canyons added to the total damage results.

The following is the breakdown tabulated as a result of its survey.

	Property lost	Acres	Amount
Citrus acreage completely lost including top soil and trees (at $5,000 per acre)		1,262	$6,300,000
Scoured or heavily eroded (at $500 per acre)		1,809	904,500
Heavily silted acreas (at $500 per acre)		2,800	1,400,000
Vegetable and crop lost (at $300 per acre)		1,200	360,000
Flooded land (at $500 per acre)		2,000	1,000,000
Bare land lost (at $400 per acre)		1,000	400,000
Wind machines lost	15		75,000
Wells lost	5		75,000
Buildings (farm)	12		110,000
Irrigation lines (number of feet at $2 per foot)	26,214		52,400
Fruit loss			1,262,000
Water well pumps	5		4,000
Bridges	2		12,000
Nursery stock lost			185,100
Total			12,140,000

COUNTY OF VENTURA, DEPARTMENT OF PUBLIC WORKS, FLOOD CONTROL DIVISION,
MEMORANDUM

MARCH 11, 1969.

To: A. P. Stokes.
From: B. D. Edde.
Subject: Effects of the Sespe project, had it been in operation, on the flood peaks of January and February 1969

The Sespe Project, as proposed by the Bureau of Reclamation, would consist of two dams and reservoirs with the upstream Cold Springs facility designed for a storage capacity of 135,000 acre feet and the downstream Topa-Topa facility 275,000 acre feet. Of the 275,000 acre foot capacity at Topa-Topa, a total of 75,000 acre feet would have been reserved for flood control capacity, which could be released at the rate of 6,000 cfs (11,900 A.F./day).

Total runoff at the lower Topa-Topa site for the entire months of January and February 1969 is estimated at 236,000 acre feet. Had the project been in operation for a couple of years prior to the 1969 floods, it is not likely that the reservoirs would have contained more than one fourth to one third capacity at the time of the floods. Assuming that they had been one third full, the entire January flood would have been stored. Since the method of flood control operation of a reservoir is to release the flood control reserve as rapidly as possible following a flood, there was time between the two floods to release the 75,000 acre foot reserve from Topa-Topa prior to the February flood, which would have left ample capacity in the two reservoirs to store this latter flood.

Therefore, no flood peaks from the area above Topa-Topa would have been included in either the January or February floods. The January peak in the lower Sespe and in the Santa Clara River below Sespe Creek would have been reduced by some 36,000 cfs. and the February peak by about 27,000 cfs. The safe capacity of the lower 5 miles of the Sespe Creek Channel of about 30,000 cfs would not have been exceeded in either of the floods, and as the result damages would have been minimal in that area. Damages in the Santa Clara River below Sespe Creek would not have been prevented by project operation, however, they would have been reduced.

Mr. MACDONALD. I am going to step to the map here—maybe Mr. MacGillivray can help me—and give you a word picture. Pictures are sometimes better than a lot of conversation. Very briefly we would like to just summarize the situation.

The one thing, we will start up here [indicating] for those of you who have not been in the area, up in the Ojai area, beautiful little valley with orange groves and so forth, about 25,000 or maybe 20,000 people living in the area, completely cut off from the rest of the State of California for a considerable period of time from the January flood and again part of the time in the February flood. These floods came January 25, and exactly 30 days later, February 25, another one hit, rated at the 100-year magnitude. This is the figure I have received from the county public works director.

Here is the Ventura River, the San Antonio Creek, and these locations—you can see where bridges have been wiped out. Here is where a loss of life took place, where they found the individual. The river itself jumped the banks, tore out a number of industries. You have pictures there showing some of the details.

Thank God for the Corps of Engineers project that built the debris basin above Ojai or we probably would have lost half the town. But there was a $1 million project, the debris basin, Stewart County debris basin, that paid for itself many times in just one storm, above Ojai.

Moving on down toward Ventura, the problems of course along the Ventura River were quite dramatically expressed in the pictures that you have. And then the great Santa Clara River Basin moving into the Pacific Ocean, Fillmore here—some of the pictures you have show the damage in the Fillmore and Santa Paula area. The blue area repre-

sents an area that was evacuated, about 2,000 people evacuated at two different times. The blue area here, other areas of evacuation.

We have a little comedy here. You will see the rhinoceros and you will see a couple of alligators. You do not have to go to Africa to find them; we have them in Ventura County and they were floating down the river. They were able to capture the two animals and take them back to their home in the Los Angeles County area. The two alligators, though, did not make the trip. Their remains were properly handled by the humane society.

Bridges torn out, as you can see in the marks here. The river, interestingly enough—this is amazing to me. I am a native of southern California, born in Pasadena, raised in Los Angeles, and I can remember years ago the massive floods moving through San Fernando Valley. In fact, every few years we could just about expect San Fernando Valley to lose a large portion of its residents many, many years ago until the flood projects were completed. But here we have a situation where the magnitude of the flow into the ocean from the Santa Clara River at the peak was 50 percent greater—I want to say this very carefully so you can get the magnitude—50 percent greater than the water that is at the top moving in behind the Oroville Dam on the Feather River. It was 50 percent greater at its peak flow. So the river jumped the bank and damaged the Southern California Edison plant here [indicating], ripped out a small craft harbor here [indicating], and the damage is graphically described in the pictures that you have at hand.

So again I just want to very briefly restate that which you have already heard from our State representatives that are here today and others that have expressed themselves on the problem, that the magnitude of damage for one little county of around a $40 million figure—and this is a conservative figure—is indicated and you can multiply this throughout the State of California. You can imagine how desperately we need these projects. And I, for one, am going to consistently support the necessary flood control projects wherever possible, recognizing that this does, as Mr. Clausen mentioned, have a very serious social impact.

When people lose their homes, this is where we really hit the problem.

We have people in Ventura County that will never be able to probably recover from the losses of their homes and there is no way to protect them. So again I say these projects that we have not supported in the past probably have a more far-reaching social implication than we have fully realized.

I think that is all I have to say. If there are any questions from members of the committee, I would be happy to answer them.

Mr. JOHNSON. I want to say, gentlemen, thank you for pointing this out to the subcommittee.

As you stated, the flow here was greater than the flow into the Oroville project, Lake Oroville, floods in 1964 and 1965, where the flow was equal to the Mississippi running down, wiping everything out. Mother Nature does treat us severely at times. She does not pick out any one area either.

Mr. MACDONALD. One thing it does point up, undoubtedly we ought to take a hard look at developing our southern sources in southern

California. We have some tremendous watersheds not tapped. One is the Sespe Creek and one Ventura River not fully tapped.

Mr. JOHNSON. Mr. Chairman, I would like to refer to the dam. You know, we calculate benefit-to-cost ratio 1 to 1 on a 50-year basis. That dam in 1 year saved more than the entire project cost.

Mr. MACDONALD. That is right.

Mr. JOHNSON. So it gives you some idea how beneficial it can be.

Mr. Clausen.

Mr. CLAUSEN. Will the gentleman yield?

Mr. MacDonald, I think that you have touched on something that, coming from your position in southern California as an assemblyman, needs expanding on just briefly.

I am hopeful that you would advance what you have just told this committee in the form of a letter to the Natural Water Resources Council, who are now in the process of holding hearings on this question, which Mr. Jones talked about; that is, project evaluation and trying to look at the ways and means of including the total benefits in the benefit-cost ratio formula.

I think that the fact that you recognize, as many of us have been affected before, we realize that there are socioeconomic factors that are just not now being considered in the B–C ratio justification economic formula.

So if you would do this, present to our committee—we want to see that this is presented to the National Water Resources Council; this would be very helpful.

Mr. MACDONALD. I would be glad to.

In addition to that, we certainly should recognize the fact that much of our legislation today, including the Small Business Administration program, and so forth, is woefully inadequate to meet these needs without the type of flood protection that we are talking about. And then in addition to that, most of you, any of you that have been involved in local government know we have a tremendous responsibility to prevent construction in areas that are obviously subject to flooding.

I think that we, representatives of California, on the State and Federal level, should do everything possible to steel the backbone of supervisors and city councilmen to zone properly to prevent construction in these areas that are obviously going to be subject to pressure. And when you see the problems that I have in just one little county of 360,000 people and realize that many of these people will not be able to recover financially, if ever in their lifetime, it makes you recognize we have a serious social problem involved.

Mr. JOHNSON. I know how serious that flood plan of southern California is. You have to almost stand on your head to get a good flood plan zoning ordinance through.

I will hear from Mr. MacGillivray.

Mr. MACGILLIVRAY. Thank you, Mr. Chairman and members of the committee.

It is distinctly a pleasure for me to appear before this committee, as I sat on a committee of my own yesterday in Sacramento and I know brevity is the essence of popularity.

I might explain to you what the Governor told me just before leaving. He said, of course, the State of California is under water, the water is under oil. He said, "We are having problems in our uni-

versities and our colleges by the students." And he said, "I need help, so I dialed a prayer and even they hung up on me." [Laughter.]

We are having problems, as Ken MacDonald so ably stated. We have all kinds of rules and regulations and laws that will help business. But the poor individual who lost his home is the man that we are vitally concerned about today, and the farmers who have lost many feet of topsoil in our valleys, we are vitally concerned about them and how fast they can bounce back.

If it is within your prerogative, I would ask of you—or whatever source of capabilities that you may have at your disposal—to make available to the people the resources at your command to help clean up much of farmland that is under this very heavy coating debris. And it is not within their capital capabilities of continuing this clean-up process.

This is the area that we need help in, because these farmers and the ranchers hire many, many people. Yet they are at their knees. And the only thing that will help them is help through the Federal Government.

I thank the Army Corps of Engineers, we take our hats off and thank them for the tremendous effort that they put forth. But we need a continuing of this help. And we do not have the capabilities to provide this and we are looking to you for guidance and help if you can provide us with that.

The rest of the discussion I am sure has been covered very ably by others before me, so I will stop at this point.

Mr. JOHNSON. We want to thank you, Don.

I want to say, the first $3 million has been made available to ASCS people out there to try to assist the farmer in reclaiming his land.

There has been an emergency appropriation made available to the 14 counties so designated. I believe, I am sure, Santa Barbara is in that and Ventura, in those 14 counties that are named.

We realize there is more that has to be done, more in the private sectors, the homeowners as well as the farmers, small businessmen.

I might say, Don, before you leave, pick up the release by the Secretary of the Interior on the oil problem. The President of the United States advised the coastal areas he is going to make a release at 11 o'clock shedding some light on this situation including a further buffer area there for the permanently injured—distance beyond or approximately 3 miles beyond the sanctuary, and holding the lease in abeyance for some time on further leasing activities. That release is available at 11 o'clock this morning. It is in the other building.

So there is a further position being taken by the Secretary of the Interior on behalf of the oil problem in Santa Barbara County.

Mr. MACGILLIVRAY. Thank you for your time here and also your visit to Santa Barbara during the disaster.

Mr. JOHNSON. Any questions?

Mr. CLAUSEN. Just one comment, Mr. Gillivray, on the question of cleanup. I suggest you have your people contact the ASCS, Agriculture Stablilization Conservation Service, and possibly the Office of Emergency Planning, to see if there could be something worked out in the way of contract with the Corps of Engineers for somebody to clean up.

Mr. MACGILLIVRAY. Thank you very much.

Mr. JONES. Mr. Chairman.

Mr. JOHNSON. Just a moment.

Mr. Jones.

Mr. JONES. The witness raised the question as to the agricultural rehabilitation.

As I recall, on the rivers in Kansas and Missouri, we have the same problem to arise, and I cannot recall how we dealt with that subject, but maybe later on the corps can furnish us information as to what approach we made, giving relief to that area, as far as agriculture is concerned.

Mr. MACGILLIVRAY. Thank you.

Mr. JOHNSON. Thank you.

Our next witness now, we will hear from Mr. Howard Rogersen, Deputy Associate Administrator, Small Business Administration, who will be accompanied by Mr. Clarence Cowles, who is Director of the Office of Disaster Loans.

I want to say before we start out, Mr. Rogersen, we had a lot of good information given to us on our recent field trip by Mr. Cowles, who accompanied us throughout California looking over the area, and he was very, very helpful in handling our constituents over the period of time we were out there.

Mr. JONES. Mr. Chairman, I would like to join you in telling the committee that Mr. Cowles is a member of the committee on every disaster hearing we have ever had. I do not know anyone who is more capable with the problems or who is more knowledgable of the manner in which they shall be dealt with.

It is good to see you.

STATEMENT OF HOWARD ROGERSEN, DEPUTY ASSOCIATE ADMINISTRATOR, SMALL BUSINESS ADMINISTRATION; ACCOMPANIED BY CLARENCE COWLES, DIRECTOR, OFFICE OF DISASTER LOANS

Mr. COWLES. Thank you, sir. Thank you both.

Mr. ROGERSEN. Thank you. You took a little bit of my introduction of Mr. Cowles.

We appreciate the opportunity to appear before the committee this morning representing the Small Business Administration in connection with H.R. 6508 and H.R. 6509.

I think our roles on your witness schedule are a little reversed. I feel I am accompanying Mr. Cowles.

The committee specifically requested Mr. Cowles to appear, and it is appropriate that it should have done so. As you have pointed out, Mr. Cowles did accompany the committee on its recent trip to California and on many other occasions in connection with disaster work.

Mr. Cowles represents more than 30 years of experience in Federal disaster loan assistance programs, both with SBA and with its predecessor agency, the RFC; and so my role at the moment, gentlemen, is really simply to introduce Mr. Cowles, as has been done, and to let him present to the committee the Small Business Administration response and comments on the bills being considered this morning.

Mr. Cowles.

Mr. COWLES. Mr. Chairman, may I read it? It is not too long.

Mr. JOHNSON. Fine. Go right ahead.

Mr. COWLES. You have asked to hear testimony on behalf of the Small Business Administration and particularly that I come before you to discuss bills H.R. 6508 and 6509 for the rehabilitation of those areas of the State of California which have been ravaged by storms, floods, landslides, and high waters during December 1968, and January and February of this year.

Of particular concern to SBA are the provisions of the legislation prescribing the manner in which the disaster loan program, embodied in section 7(b)(1) of the Small Business Act, is to be administered for the benefit of persons whose property has been destroyed or damaged in the described disasters. In this connection, the subject bills would introduce three special features, each of which is objectionable to SBA.

The first of these is a "forgiveness" feature, applicable to that part of any loan in excess of $500. At his option, the borrower could obtain, one, a cancellation of the principal, up to a maximum of $2,500; or a waiver of interest due on the loan, in a total amount of not more than $2,500, over a period of not to exceed 3 years. Only once in the long history of the SBA disaster loan program and of its predecessor agency has such a concession been granted to borrowers. This solitary exception is to be found in the legislation, Public Law 89-339, enacted in 1965 to assist the victims of Hurricane Betsy. Such a departure from the norm was justified by the fact that the great majority of the Betsy borrowers were persons living close to the poverty level. To my knowledge, at least, such dire need does not exist in the instant case.

The second objectionable feature to which I refer is a provision allowing loans to be made "without regard to whether the required financial assistance is otherwise available from private sources." In other words, the benefits of the disaster loan program, an emergency measure conducted at substantial loss to the Government to help those who cannot help themselves, would be made available to those who have no need to rely on Federal credit.

We feel that the agency should have discretion in this matter so as to screen out those who have no reasonable need for disaster loan assistance from the Federal Government.

The third objectionable feature is that, during the first 3 years of the term of a loan, the borrower could obtain a waiver of interest payments and a deferral of principal payments. In contrast to the first waiver provision, discussed above, there would be no dollar limitation. It is hardly necessary to add, in view of what I have said already, that I can see no justification for this proposal.

About a year ago regulations were issued to improve overall program management and to focus the disaster loans on those most in need. The regulations were intended to assure that the benefits of this subsidy program reach those disaster victims who are in greatest need of recovery assistance. Those capable of financing their own recovery without Government assistance are expected to do so. This is the program that we have in California today. It will serve those who cannot help themselves, and can, therefore, provide significant relief.

As of today we have declared seven counties as disaster areas, and as our declarations cover adjacent counties, there are 30 counties where

disaster loan assistance is available. The original declaration was made on January 21, 1969, and the latest on March 3, 1969. In addition to our regular regional offices at Los Angeles, San Diego, and San Francisco, we have operated in 15 other locations so as to eliminate long travel by disaster victims.

The President has also declared a major disaster in 37 counties, making economic injury-type loans to small businesses available from the Small Business Administration in addition to the physical injury assistance that is available to victims of the SBA declaration. Through March 13, 1969, in the State of California, the Small Business Administration has interviewed 4,300 disaster victims and given out 3,159 applications. We have accepted 379 home loan applications for $2,241,618 and 80 business loan applications for $1,910,640. Of the loans processed, we have approved 144 [sic] home loans for $685,480 and 19 business loans for $90,250; 26 home loans have been declined totaling $67,725 and five business loans for $155,900. There have been three applications withdrawn.

Mr. Chairman, that completes the statement, and Mr. Rogersen and I will make every effort to answer any questions you would like to ask.

Mr. JOHNSON. We want to thank both of you for appearing here on behalf of the Small Business Administration.

In connection with the pending legislation, H.R. 6508 and H.R. 6509, there was some lack of understanding, I guess, on the part of some as to the scope of the disaster declaration as to whether it would cover snow damage or avalanche slides that would take place in mountains due to heavy snowfall.

Now, in December we had a great deal of snow damage in some of the counties. In January and February we had more of it.

In the bill it says "storms." Now, I presume that in the disaster declaration, "storms" was also the word used?

Mr. COWLES. Mr. Chairman, if I may say so, we clarified that point with a wire to our California office indicating snowslide would be part of the disaster declaration, so we have no problem there.

Mr. JOHNSON. Now, Mr. Cowles, from your long experience in this field, what is your personal impression of the effectiveness of the Small Business Administration program as it is now operating?

Mr. COWLES. May I ask, are you asking my personal opinion?

Mr. JOHNSON. Yes. You are the man most knowledgeable. And I want to say the reasons I am asking this, in your statement, when you refer to some of the people—Mississippi, Louisiana—that we are considering in light of some of the provisions of that legislation, what I have seen in California in certain areas, I think some of our people are very well qualified. I have a few questions and I would like to ask you for your personal opinion.

Mr. COWLES. Thank you. I just wanted to clarify that point.

My personal opinion, Mr. Chairman, is that our present program is too restrictive.

Mr. JOHNSON. Now, in your personal opinion, the regulations that have been in effect since March 19, 1968——

Mr. COWLES. Correct.

Mr. JOHNSON (continuing). Have really made a difference in your operations I would say.

Mr. COWLES. Yes, sir. Very definitely.

Mr. JOHNSON. It is more restrictive now than it was prior to that time?

Mr. COWLES. Yes, it is. It is very definitely more restrictive than what it was before.

Mr. CLAUSEN. Will the gentleman yield?

Mr. JOHNSON. Yes.

Mr. CLAUSEN. Why were those restrictions put on, in your personal opinion?

Mr. COWLES. Well, originally we understood it was because of budgetary restrictions. We have been advised recently that we were in error, that it is to help those who cannot help themselves, and that those who can help themselves should help themselves.

Mr. ROGERSEN. If I might respond briefly?

Mr. JOHNSON. Yes.

Mr. ROGERSEN. It constituted a refocusing of the program, restricting the benefits of our program more to those considered to be in real need and unable to recover from the disaster through their own resources or through resources made available to the private institutions. So it does represent a tightening up of the administration of the program from that standpoint and with that in view.

Mr. JONES. Mr. Chairman, may I ask a question at that point?

Mr. JOHNSON. Yes, the gentleman from Alabama.

Mr. JONES. Mr. Cowles is quite familiar in carrying on the program, with Public Law 89–339, which he referred to, in 1965. That was a departure from the normal procedure, because the loans were more generous and the applications for the loans were made generous to those who were unable to make restitution of their problems. It was not the same rule of thumb applied to the Pacific Disaster Relief Act for the same year in which $196 million was made available for that relief area.

So I gather from your opinion, Mr. Cowles, that the more generous approach would be that following Hurricane Betsy [inaudible].

Mr. COWLES. I am sorry, I did not quite get that last part, Congressman Jones.

Mr. JONES. Well, what I am saying is the Hurricane Betsy is a better practice, better policy, foundation, than was used in the Pacific Northwest Relief Act——

Mr. COWLES. That is true.

Mr. JONES (continuing). Which you are using now and would apply to this condition to the bill we are considering?

Mr. COWLES. As a matter of fact, Congressman Jones, the program which we are using now is more restrictive than what we used in the other program—you are talking, I gather of the 1965 situation?

Mr. JONES. Yes.

Mr. COWLES. It is more restrictive now than it was then.

Mr. ROGERSEN. I think we have, if I may, sir, two different issues. One deals with provisions of the legislation before the committee and the other deals with the change made in the program as we were operating it up until March 19 of last year. And there is a considerable difference. I think Mr. Cowles was saying that without the provisions of these bills, he feels that we could operate a more effective program in California, but for the restrictions that were placed on the program last March.

Mr. COWLES. What I was really trying to say, I guess, to be more direct, is that if we went back to the program we had prior to March 19, 1968, with perhaps one exception, which would eliminate refinancing, that we would have I believe a viable program and one which would be more in line with congressional intent.

Mr. JOHNSON. I might say the visiting areas, both in 1964 and 1965 Pacific Northwest, and then in the Mississippi-Louisiana area, as it was found after Hurricane Betsy moved through, and in the flooded areas that were given relief there, and we recently visited in California about five different areas where we looked at the flooding conditions and the disasters they face there now in trying to pick themselves back up on their feet, there is not much difference in my way of looking at it. And these people, while some of the homes were a little more expensive, a little higher class neighborhood, they might be able to take care of the situation; but the average home that was flooded out there that I looked at, they were in dire need of assistance, because they are not high-priced homes for the most part and their income is rather low and job opportunities now—unemployment they are going to face in some of those areas is going to put a harder burden of them.

Now, when you talk to the people, they say, "Well, we owe so much here, owe so much there; I made so much last year." I do not know whether they could find a bank to take them.

Under your program, austerity program, they could probably get some assistance if they went there.

Mr. ROGERSEN. Yes, sir.

Mr. COWLES. Yes.

Mr. JOHNSON. But we wanted to assist them in a much more favorable way.

I hate to see people have to get right down on their knees and crawl when they are faced with disaster and are trying to get back on their feet.

These are very good people. Every person I talked to was very serious minded and these people take it on the chin, getting along the best way they could.

I saw the way the homes were affected in Louisiana. I saw the same thing in California. The only thing in California, there was more mud, more debris in the homes than in Louisiana. They were wet. And the way they had to move their furniture out, household effects out, destroyed, ruined—the same thing takes place out there.

Now, as I understand it, there is enough money in the fund. Is there any question with a revolving fund?

Mr. COWLES. No, I do not believe so. I can give you the figures on it, actually. I brought them with me. I thought you might like to know.

Well, for the present fiscal year, we were appropriated, approximately, for use in the disaster program, $50 million.

At the present time we have used approximately $15 million.

The total fund, as of January 31, had $132 million in it. This was the separate disaster program. As you know, the disaster program is segregated from the regular program; so that if we still used the $35 million for the remainder of this year, there still would be in that fund $97 million.

Mr. JOHNSON. Another thing, say that we were to accept the forgiveness—the $2,500—what would this amount to as a round figure? I do not expect people to have——

Mr. ROGERSEN. Again, we have talked about this a good deal. You have to consider how many loans we have potential for in California and, again, this is quite speculative. But if we provided relief in California to the extent of approximately $30 million and if we could take as the average loan approximately $10,000, the $2,500 forgiveness feature, again depending on exactly how it was administered, could amount to in the area of $7 million additional cost. And then, of course, you need to consider the additional cost that would result from the broad interest waiver provision also included in the bills, which could add as much as $3 million more. So we are talking about, roughly, I think, $10 million of additional costs on a program as we would see it developed in California.

Mr. JOHNSON. Now, the balance of that, of course, would be repaid over a period of your loan?

Mr. COWLES. Yes, sir.

Mr. ROGERSEN. Yes, sir.

Mr. JOHNSON. And you would estimate the interest of forgiveness at about around the figure of $10 million?

Mr. COWLES. Yes, sir.

Mr. ROGERSEN. I would like to say one thing. You know, we do have some flexibility in the program as it exists today, which I think should be mentioned, when we can make loans under our current regulations and policies.

We never set the first payment sooner than 5 months from the date of the note and we can go beyond that.

Furthermore, we have great flexibility in deferring, as opposed to waiving, deferring interest and principal payments, in fact, in hardship cases for up to 5 years. And this is something that we have administrative flexibility on now.

I thought that should be mentioned as a part of the record this morning.

Mr. JOHNSON. I realize that. But the point that gets me in trying to deal with the disaster is, the disaster is looked over by local government, and local government then calls it to the attention of the State, and the State, through their people, look over the situation and then declare it a disaster area, and then it is brought to Congress, or to the President, and the President declares it a disaster area, and then our agencies have the Federal, State, and local governments at work; and I think they pretty much ferret this out before a person is eligible for relief, that there is a real disaster.

If we are going to try to assist in the disaster, I think we should make a little more lenient program and try to go in there and assist these people, because the longer we want the more it costs the individual in trying to take care of the problems.

Mr. CLAUSEN. Would the gentleman yield?

Mr. JOHNSON. Yes.

Mr. CLAUSEN. Frankly, I find this restriction and limitation that was put on in March of 1968 really totally unacceptable as far as I am concerned. And let me tell you why I feel this. I included this in my statement yesterday; I do not think that a person's finan-

cial position in life during time of disaster—through an act of God that, as Mr. Johnson pointed out, has gone all through the channels of local, State, and Federal governments to the point of declaration of national disaster; I do not think that that individual who is affected should have to sign a pauper's oath in order to receive assistance.

Because in most cases we are talking about not rich people, we are talking about middle-income people that are going to have to pay off their debt, and they have probably borrowed up to the hilt on the previous home or business.

Now, they are going to have to come in—this is not a grant, it is a repayment of the loan to the Small Business Administration.

I think we should do something about saying that that person that is affected is reinstated to his previous position, if it is at all possible.

Now, again we need to coordinate this with our flood insurance program, and I have many thoughts in this regard. It is not my intent, and I will protect the private sector of finance and institutions as much as anyone else, but I think in times of disaster, when people are really affected and need to get back to their station in life, because of circumstances that affected them beyond their control, I do not think that this is the time to put limitations or restrictions on them.

I also realize that part of your problem is the fact that you have people coming in and taking advantage of this.

And I would like to find out more and more about the history of this. Are there people that are taking advantage of it that should not have taken advantage of it? I would like to know about this, and I intend to ask some more questions. But that should not mean that the individual who is honest, objective, trying to do the right thing, should be penalized just because we have got some people that, in the past, may have been taking advantage of this program.

Mr. Cowles. Of course, as you know, Congressman, I do not know exactly what you mean by "taking advantage"; but when we receive an application, for example, if it is property destruction—I am just trying to distinguish between household goods or personal effects and structural damage—we do require estimates from reliable contractors, and we do require our appraisers to go out and justify the amount of funds which are being requested for replacement of that property. We do not permit any upgrading whatsoever—in other words, the upgrading cannot be taken care of through funds of the Small Business Administration at the 3-percent-interest rate.

I do not know whether that is helpful or not.

Mr. Clausen. I think we all know—those of us that have had experience on this committee, we all know—that whenever a disaster occurs, you have people that will come in from outside, for instance, to take advantage of the food programs that may be available. This happened in my district, and it has happened, I am sure, in other districts.

Well now, it is conceivable that some people may come in and take advantage of the low interest rate and an extension of the term of the loans under this kind of program, and I would imagine you have had all sorts of pressures in this regard, political and otherwise.

Mr. Cowles. That is correct.

Mr. CLAUSEN. I believe, however, we can come up with a program that screens against that sort of thing and still gets at the heart of the problem, to help those people that need the help.

Mr. ROGERSEN. There is a provision in the bills that we are reviewing, however, which would make it impossible, it seems to me, for us to weed out, if I understand your characterization, those people who would be taking advantage of the legislation.

If we do not consider in any respect the personal resources of the individual, then I think we would have people who are perfectly able to take care of their own disaster needs, who obviously—certainly I would if I were in such a position—attempt to get a 3-percent direct loan from the Government.

Mr. CLAUSEN. Let me say this. We obviously intend to resist entering into the legislative field in a problem that is obviously administrative. The only thing I am going to ask is, we have to do it one way or another; we have to get relief. We either do it legislatively, or you fellows are going to have to change what is too restrictive, the regulation of March 1968.

Mr. COWLES. I agree with that.

Mr. ROGERSEN. For many years we have been trying to weed out people who have been trying to take advantage of our program. We have not been 100 percent able to do this, but I think we have done a pretty good job, except for those who perpetrate a fraud upon the Government. Those are a little more difficult to catch.

I would like to mention one more thing. It has been mentioned by a Small Business Administration witness before a committee of the Senate this year, and it is in reference to the 3-percent-disaster-loan interest rate, which I think bears some reexamination. That interest rate was set at a time when the cost of money to the Government was in the area of 1½ percent; and right now, for our disaster loan funds, we are paying 5½ percent.

Of course we all know what the market interest rate is. I think we have a large loss factor built into our disaster program for this, and other reasons; but also I think it makes worse this problem of people shopping for something they should not have, and coming to us for assistance when they can really provide it themselves.

Mr. JOHNSON. Getting back to my first comment on this, when a disaster is declared, certainly you people go in and evaluate this, as Mr. Cowles has said, when they make application. The place is all torn up. I do not expect to see him pile on everything for a new loan and get refinanced. I do not think that.

But there should be an opportunity for that man to come in and get taken care of on behalf of the disaster for that amount. I think that is the person we are trying to help at that level.

I do not think everybody should come in and throw everything in and get refinanced.

Mr. JONES. I would say that the greatest complaints are the complaints of borrowers who wanted to come in and seek refinancing. They come in and want to make refinancing loans. Well, it just is not done.

Mr. JOHNSON. I would not advocate anything like that. I could well see your interest consideration, too. I think possibly an increase in the interest would help the situation. It would not be a gift or grant or

anything else; but there would be some forgiveness, to take care of the man's disaster situation. Then he pays the rest of it back at a reasonable rate, which would be below the conventional lender's rate, fine. I think that can be worked out.

But I would hate to see this limitation placed on there now. I do not know how we can do that, unless you do it by legislation.

Mr. CLAUSEN. I would hope that you gentlemen would take the message back to your superiors, because I intend to follow up on this, and that you reevaluate the entire problem, in light of your testimony, and I hope you recognize the responses from two fellows that have gone through many, many floods; and I do not think that interest itself is the major problem. It is the ability to acquire the equity to get back to where they left off at the time of the disaster, due to something beyond their control.

Mr. ROGERSEN. Yes, sir. We will certainly take back the views of the individual members of the committee; and we are pleased to have them.

Mr. JOHNSON. I might say that in further consideration, after the hearings are over, with the staff and personnel of the committee, under the jurisdiction of the chairman, we probably discussed some of this, and see if we cannot come up with a reasonable compromise or approach to this situation to protect the things that we have been discussing here this morning.

Any further questions?

If not, we want to thank you, Mr. Rogerson and Mr. Cowles, for appearing here this morning.

Mr. ROGERSEN. Thank you.

Mr. COWLES. Thank you.

Mr. JOHNSON. Our next witness will be Mr. M. M. Nelson, Department of Agriculture, Forest Service; and he has with him one or two people.

If he would like to bring them up, we will be happy to have you.

STATEMENT OF M. M. NELSON, DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE; ACCOMPANIED BY E. M. BACON, DEPUTY CHIEF, FOREST SERVICE, USDA; AND REYNOLDS FLORANCE, DIRECTOR, DIVISION OF LEGISLATIVE REPORTING AND LIAISON, FOREST SERVICE, USDA

Mr. NELSON. I have with me Mr. E. M. Bacon, who is another Deputy Chief for the Forest Service. He has the responsibility for State and private forestry or, we might say, our cooperative programs, which includes flood control.

I would also like to ask Mr. Reynolds Florance to come forward, who is the Director of our Division of Legislative Reporting and Liaison.

Mr. Cliff, our Chief of the Forest Service, would like to have been here this morning, but he is testifying over in the other body on another matter relating to lumber prices, that seems to be a pretty important issue at the present time.

Mr. Chairman and members of the committee, I am pleased to be here before your committee to make a statement concerning the situa-

tion that gave rise to the proposed California Disaster Relief Act of 1969.

Starting in October and continuing to the present moment, there has been unusually heavy precipitation in California, the Pacific Northwest and the intermountain region. There are at least 30 critical days left when further severe storms could occur.

As I observed with some of you on the ground in California last month, damage to property and loss of life was severe from the January storms. In fact, property damage, loss of life, rainfall and runoff exceeded anything of record in the January storms in central and southern California.

As a result of those and later storms, 33 of the 58 counties in California have been designated under the President's emergency declaration authority as disaster areas.

A feature of these storms, which is extremely important, is the unusually heavy amounts of snow that have accumulated. The snow accumulation is of or near record amount in the Sierra Nevada, Cascade, Bitterroot and Salmon Mountains. Ten aerial snow markers that are 16-feet high in the Sequoia National Forest, Calif., were completely buried. Our snow laboratory at Donner Summit in the Tahoe National Forest, Calif., reports a total snowfall of 44 feet now settled to about 18 feet, or 220 inches. This snowpack contains an equivalent of 88 inches of water, which is 225 percent of normal on March 1.

Not only are snow accumulations high but water content of the snow is also unusually high. Reports from 27 snow courses on the Kern River, which heads in the Sequoia National Forest set records for water content. Measurement of precipitation from October to March in the Sequoia National Forest shows that it is 340 percent of normal.

The April through July snowmelt runoff for the Kern River system in the Sequoia National Forest is predicted to be 450 percent of normal.

On our barometer watersheds, which are specially selected and carefully indexed watersheds where we evaluate our land management programs, soil moisture is near saturation levels. Thus, further water storage opportunities in the soil profile are at a minimum.

In general, most streams from national forests in the Sierra Nevada, Idaho and Utah mountains are expected to produce 150 to 250 percent of average runoff for the remainder of this spring runoff period.

The enormous snowpack has created a high avalanche hazard. In fact, in my 35 years in the Forest Service, I have never known when we have ever had an avalanche hazard situation like we have this year.

It has limited the access to the national forests, made the protection of buildings and facilities difficult and endangered the safety of many people. At least seven people have died in avalanches to date.

Although snowline is still low and below normal temperatures are forecast for several more days, a rapid thaw could occur. If this happens, high water and damaging floods could do additional damage within the national forests as well as downstream, and could have a serious effect on the supply of logs this spring.

We are already well aware that damage from these storms was mostly in southern California. There was extensive stream channel

erosion and deposition, extensive areas with slides, slumps, and millions of tons of soil loss. We estimate for the January storms only that the following facilities on the national forest system in California were damaged: 2,924 miles of roads; 2,976 miles of trails; 30 miles of fence and 64 range water developments; 149 campgrounds with 1,184 camping units; one airport; 48 water systems and one sewer system; 11 electrical systems; 86 buildings; two dams breached, and four to eight others damaged; and two vehicles lost.

We also had a loss of one of our employees in a rescue mission on the Los Padres National Forest.

Also, further damage has occurred from later storms and we are collecting data on that now.

Where damage consists of sections of washed-out roads and drainage structures, plus slides and slipouts, waste materials will have to be hauled long distances. This hauling must be done instead of dumping over road embankments, to make sure that debris does not get into downstream reservoirs.

If not repaired, damage or potential damage to the national forest transportation system could affect the harvest of timber on many of the national forests, particularly in northern California and other areas.

It will also limit vehicle access for fire suppression purposes and will prevent use of over 100 campgrounds in southern California.

We of course are moving ahead wherever possible within our present authorities to rebuild and open up roads and other facilities. For example, after discussions and correspondence, Mr. Frank C. Turner, Director of Public Roads, Bureau of Public Roads, on March 14 indicated to the Chief of the Forest Service that funds would be made available to us for repair or reconstruction of damaged forest development roads and trails under our jurisdiction under section 125 of title 23 United States Code. Actual transfer of funds will take place after BPR reviews our estimates of costs and supporting data.

Mr. JOHNSON. Mr. Nelson, might I ask a question at this point?

In connection with the information received from Mr. Turner, this would give you additional funds over and above your regular program?

Mr. NELSON. That is correct. This is authorized under the emergency section of the Federal Highway Act, and that would be over and above the existing funds that we have for roads and trails. In fact, it almost has to be, Congressman Johnson.

As you know, we are in a very serious situation with log supply, because of the short supply of lumber and plywood at the present time. If we had to take this type of cost from our regular road program, it would just make that situation more difficult.

In fact, yesterday we discussed with the Appropriations Committee the message that the President is sending to Congress in relation to the log supply, which includes the need for additional roads.

Mr. JOHNSON. I just wanted to make clear at this point that these were additional funds, emergency funds to take care of the damage.

Mr. NELSON. That is correct.

Mr. JOHNSON. Not taken from the regular program in the roads and trails construction program?

Mr. NELSON. That is true.

Mr. JOHNSON. Fine.

Mr. NELSON. Incidentally, I do want to commend the Bureau of Public Roads for working with us on that. Their procedures that they had worked out were not in relation to this type of damage with another Federal agency, and they have rewritten and worked out the procedures so that we can use those to better advantage within the national forests. They have been real fine to work with.

Mr. JOHNSON. Yes. I am glad to hear you say that for the record.

Mr. CLAUSEN. Mr. Chairman, I think it might be appropriate at this time for me at least to refer to the excellent publication that was put together by the Department of Agriculture, entitled "The Demand and Supply Situation for Forest Products of 1968 and 1969," because I think this will tend to substantiate the points that you made, and what some of us are already familiar with, relating to the escalation in costs for lumber, because of the restriction on access to the timber resources in order to put your sales up to the maximum allowable cut, and therefore increasing log supply, and relieve some of the pressures on the ultimate pricing.

Mr. NELSON. That is very true. It is a real serious problem. In fact, in our discussions all day yesterday with the Appropriations Committee, most of the time was spent on this particular problem. We got into the road situation. I testified a year ago, when we were having to justify a cut in the road program, that it would not affect the timber sales last year, but that it would soon affect them. The time has now come when it does affect the sales of timber.

Mr. CLAUSEN. As you know, our own Roads Subcommittee, and testimony before our Roads Subcommittee over the years—it has been our intent to try to escalate the entire road development program to prevent this, and the fact that they have not kept pace, from the standpoint of the appropriations, I believe has led partially to this problem, as I view this.

As a Forest Service man, do you agree with what I am saying?

Mr. NELSON. There is no question but what the Public Works Committee recognized the problem and the needs ahead when they set the authorization for forest roads and trails. We have not been able, under the present financial situation of the Government, to meet that level that was needed. The Public Works Committee indicated we have the need, but the appropriations have not been there to really do the job.

Because of the relief which section 3(a) would afford timber purchasers for restoration of damaged roads, we canvassed our field people to determine the existing situation as affected by the events of these storms.

In view of the heavy precipitation which has occurred in areas outside California, we did not limit our inquiry to that State. Our field people are not aware of any significant damage to purchaser-built roads or development facilities at this time.

However, most sale areas and related purchaser-road construction is under snow, making it impossible to determine the extent of any damage now existing. While we are certain that damage in disaster magnitudes does not now exist, we are aware of the potential damage which might occur if warm weather or warm rains would cause rapid runoffs from the heavy snowpacks.

Following the damaging storms of 1964–65, we revised our timber sale contract form to take care of abnormal road damage in situa-

tions such as this. However, the Forest Service still has over 900 timber sale contracts in force at this time which do not take care of this abnormal damage situation. Roads have been built or are to be built under these contracts.

As I said earlier, we do not have any specific details as to damage on purchaser-built road construction at this time. All we can do is surmise present damage and anticipate future damage.

We are strongly interested in authority to shorten advertising periods of sale offerings where natural disaster strikes. Such authority would be useful in minimizing loss in deterioration of damaged timber, and in preventing insect epidemics. It also would be useful in preventing economic stress and unemployment in communities where processing plants are cut off from log supplies because of natural disasters. At this time of short supply of lumber it is important to keep mills producing at maximum capacity.

I would not like to talk about the relation of the upland areas where most of the national forest lands are to the downstream areas. The Los Angeles River flood control project established under the 1944 Flood Control Ace demonstrated an effectiveness that could be extended to other situations and problem areas.

The San Gabriel Mountains, which are between the Los Angeles urban area and the desert, form the headwaters for this project. These mountains have unusually steep slopes and the soil is treacherously unstable. Even during the long dry season soils are constantly moving down slope and filling dry channels. Tons of this ravel accumulate waiting for the rush of winter runoff to move downstream. Most of the soils in the San Gabriel Mountains have a quality that makes them repel water to some degree.

Wildfires intensify this and cause a water repellent layer of soil about 2 inches below the surface. This leaves the top 2 inches ready to wash down slope in giant sluices of mud.

In comparison with heavily damaged areas nearby, the Los Angeles River project was remarkably successful in having limited damage. Several types of measures have been undertaken in this project to limit damage. There has been a higher level of fire protection in the project area than in adjacent areas. Small structures in stream channels in conjunction with other stabilization measures in critical areas have been installed.

Discovery of plant species exhibiting some measure of fire resistance that will adapt to the rigors of the semiarid southern California climate have been the object of intensive worldwide search for over 30 years. Such species, both tree and shrub, have been identified and conversion to these species have been undertaken, but this has only been on an experimental basis.

The evaluation job is still in progress—but damage to urban areas from the phenomenal winter storms was far less below project installations in comparison to damage in nearby unprotected areas.

For example, there was extremely heavy damage in the San Gabriel watershed. This watershed is located adjacent to the Los Angeles River watershed, where topography is similar and rainfall and weather conditions were identical. Both the Los Angeles and San Gabriel Rivers have headwaters in the San Gabriel Mountains.

There is no overall current program in the Department of Agriculture that deals effectively with protecting urban areas from serious flooding and mud slides under conditions such as are found in the watersheds of southern California.

The Forest Service has carried out extensive research in many of these problems we are discussing today. For example, floods and fire have been a dominant incentive for research at San Dimas Experimental Forest near Glendora, Calif. These disasters are closely tied to soil, water, and plant relationships.

One of our first objectives has been to learn the best management practices for reducing damages to nearby communities. Studies, for example, have shown that detergents are at least partially effective in overcoming the water repellency in these soils that I mentioned earlier.

Some of the better known methods of preventing flooding after fire, such as grass seeding and contour trenching, have produced good to spotty results in the San Gabriel Mountains.

Other research at San Dimas has been concerned with the role of vegetation in controlling fire. Fuel-break systems have been developed by converting heavy brush to light-volume fuel, such as grass, at strategic intervals.

Other plants that have been reported to be fire resistant or slow burning have been tested as permanent replacement for inflammable brush in these fuel-break zones. Some of this knowledge has been or will be applied in the job of rebuilding and protecting these very important watersheds in the southern California area.

Mr. Chairman, that concludes my statement. All three of us are ready to answer any questions that you might have.

Mr. JOHNSON. We want to thank you, Mr. Nelson. When we were in southern California there was a lot of testimony given by local people who spoke about some of the flood prevention projects, both on the private force and the public force. Can you further elaborate on that situation here at this time?

Mr. NELSON. Yes, I would, Mr. Chairman.

We have with us here a few pictures.

I might say that the first one is an indication of the relationship of mountains to the urban area.

Mr. CLAUSEN. What is the name of the community?

Mr. NELSON. That is the Glendora area. The mountains are right behind the urbanized area. That is part of the burn from which much of the mud came. I might say that this type of situation, as was indicated earlier, also applies up to Santa Barbara, it applies down through Ventura County, all through the San Fernando Valley, and around into San Bernardino County.

Back to the next step above the Army Engineers projects in the valleys, through the urban area—at the edge, and at the foot of these various mountain streams, there is a series of debris basins to catch the mud and debris before it gets into the improved channels and the works of the Army Engineers and the Los Angles County Flood Control District down below.

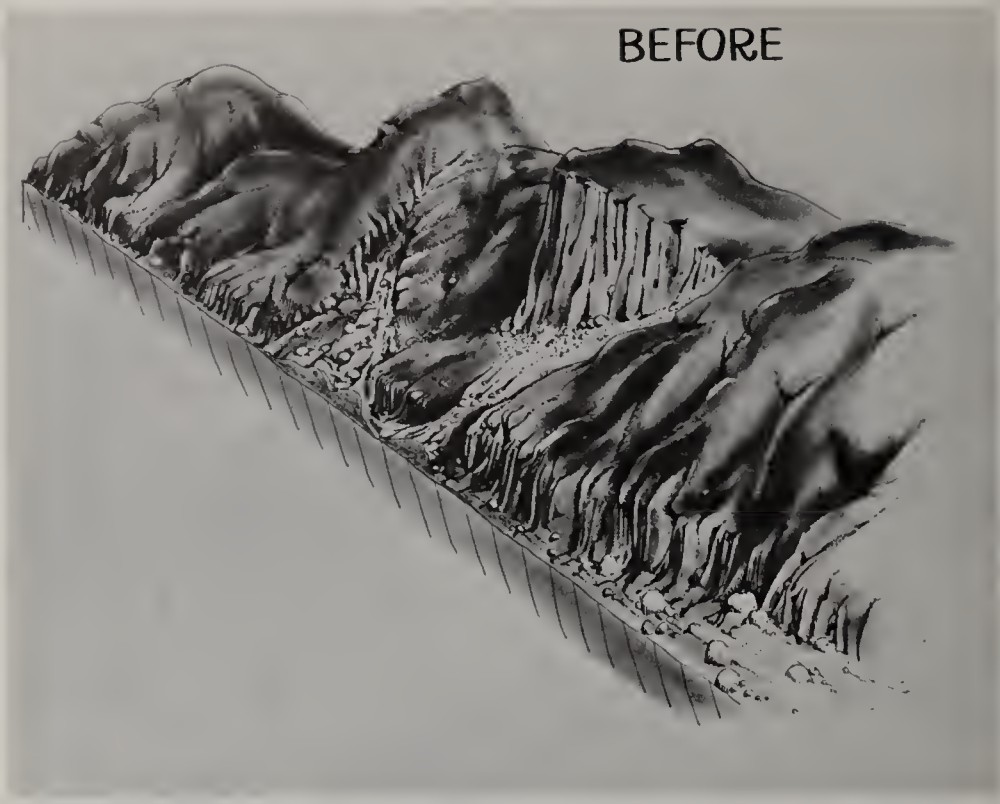
Those debris basins have to be cleaned out after a storm of this type. And that is what is illustrated in the picture. This debris basin is completely full of mud.

The county people are in there cleaning that out. It is a tremendous expense. I do not know what the figures are now, but the last I heard, which was sometime ago, it was between $3 and $4 a yard. Also with the urban situation down below, they do not have any place to put that debris, like they once had; so they have to haul the mud and debris long distances. Our first and foremost objective is to keep that brush and cover on the mountains, so that it holds as much soil as possible in place. This is one way to minimize the amount that comes down, to be caught and hauled out.

Additional stabilization work has to be done on the structures, such as roads, in order to keep them from causing more debris to move.

Another factor is the stabilization of these upstream drainage areas. Many of them do not have water in them except during the winter.

To illustrate that, I have here a cutaway of such a streambed. It points out the steep banks [indicating]. The stream would come right down through the middle of that illustration and cut those steep banks there. Every time we get a winter storm, they undercut some more; and, consequently, we keep getting more and more debris downstream. It flushes down, either caught by debris basins, if we have one in place, or, like at Glendora, it goes down through the homes.



One of the things we are doing in relation to that—I will illustrate by an overlay—is placing structures in these streams that stabilize the streambed.

Those structures are built not to hold water as a dam holds water, but they hold back the debris that comes down.

Consequently, you can see in the illustration the rocks and debris that is built up so that it raises the stream bottom up above the cut bank and stabilizes the slopes. There are two structures shown here; they are designed so that natural debris will build up to the base of the next one, and next one above that, and will go on upstream. But an important feature of that is they finally stabilize the sides of those streams.

Mr. CLAUSEN. Say that again.

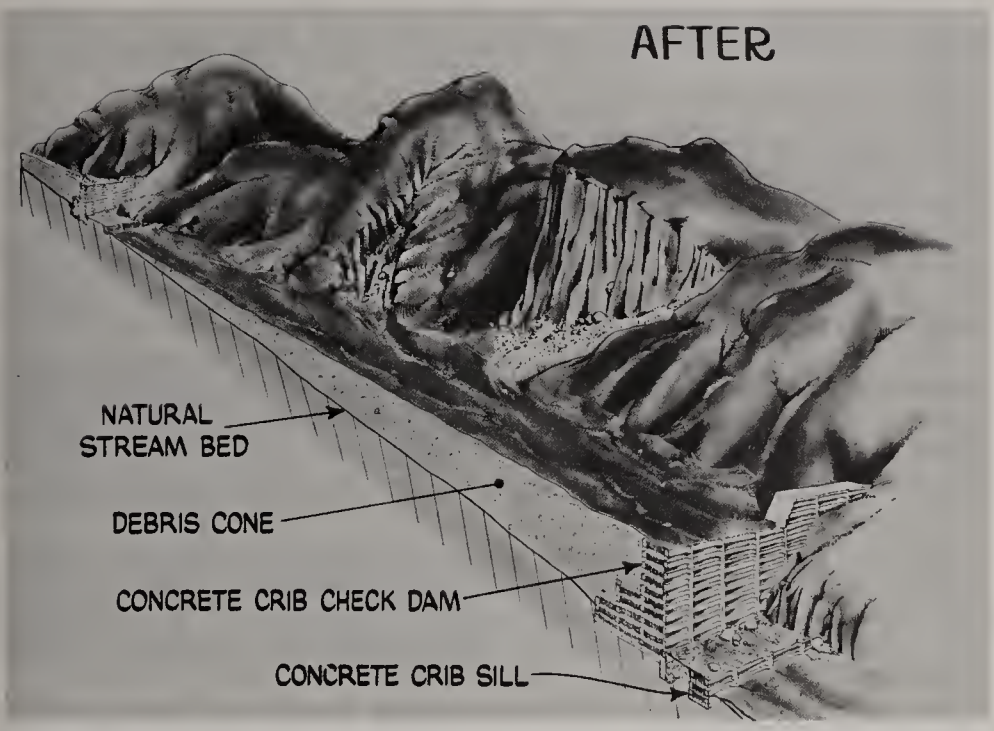
Mr. NELSON. They finally stabilize the sides, as compared with before when the side slopes were undercut more with each winter stream.

Mr. CLAUSEN. I see.

Mr. NELSON. Before stabilization work the stream channel was steep and kept undercutting all the time, and you never get it stopped. By doing this type of stabilization, you get something that can be held.

In addition to that, the channel is filled with rock and gravel finally until it is built up, and that will hold a tremendous amount of water, too, in a storm.

Mr. CLAUSEN. You would combine this with a basic reforestation program to stabilize the soil?



Mr. Nelson. As I mentioned, one of the most important things is to keep vegetation cover on the mountains; and fire control, of course, is one of the best ways to keep this cover on.

Just to illustrate what this channel stabilization structure looks like, there is a picture of them built on a stream [indicating]; it is during a flood stage, where there is water. It has been filled already with the debris behind it, and it is backed up. That is one of the stream stabilization features. It is on the Los Angeles River project.

Mr. Bacon is in charge of the flood control type of work, and he may want to add something to this question that Congressman Johnson asked.

Mr. JOHNSON. There is basic authorization now, I presume, to allow you people to get into this type of treatment in these river basins. We were told in Los Angeles, during the course of the hearings, that there were going to be meetings held between the Corps of Engineers and Forest Service and the flood control people down there. Is there a public law that does authorize the Secretary of the Army and Secretary of Agriculture to get together in this type of development, other than Public Law 566?

Mr. BACON. Let me say first, that as far as the Los Angeles River watershed project is concerned, this was established under the Flood Control Act of 1944. There were 10 additional rivers under this act. However, when Public Law 566 was passed in 1954, the authority for the further expansion of this type of cooperation, this type of program, was removed.

It was visualized that Public Law 566 would discharge the Department of Agriculture's responsibility for participation with the Corps on the combined downstream and upstream operations. However, this act relates more specifically to the agricultural component rather than the urban component.

It has been successful in most places, but there have been questions about its use in this situation.

Mr. JOHNSON. Is there not another act that grants you additional authority?

Mr. BACON. There is an act, Public Law 87–639, which many in the local area and others have mentioned to us. This act is on the books but it has not been implemented for these purposes.

Mr. JOHNSON. But it could be used?

Mr. BACON. We have not established a departmental or an administration position with respect to its use in this case, but it certainly would seem to provide the same sort of mechanism that has been so effective under the 1944 legislation.

Mr. CLAUSEN. Do you feel that there is additional authority required to implement the program, legislation program?

Mr. BACON. This would be one possibility which I believe the committee might want to consider, along with the adequacy of existing authority under Public Law 639.

Mr. JOHNSON. In connection with the timber sales authority, as you see it now, the reduced period would be beneficial to you if it is in the legislation——

Mr. NELSON. We feel that it would. We notice that in the present bill it would be limited to California and limited only to this particular disaster.

Actually we feel that the Secretary of Agriculture ought to be able to use the 7-day advertising in any natural disaster.

One of the reasons we believe it would be helpful is after the 1964–65 floods, and by the time the 1965 Relief Act was passed, the opportunity had passed many times, that would have been possible to put some of those mills back in operation faster than we were able to; but we did use it to a lesser extent than we could have, had the bill passed sooner.

So what we are really saying is that if we had this type of authority on a permanent basis it would be helpful in any natural disaster, and we would not have to wait to go to Congress.

Mr. JOHNSON. The only thing with that, I think we would be kind of stepping out of our jurisdiction and over into the Committee on Agriculture. And here we are trying to relate this to a disaster situation due to storms and snows and what-have-you that is taking place.

So I would be a little reluctant to try to amend or write any permanent legislation in this particular act.

Mr. NELSON. We look at that a little differently. It would only be used for disasters, and we consider that the Public Works Committee may consider legislation in relation to disasters.

So we feel that it would be perfectly logical for this committee to consider that at this time.

Mr. CLAUSEN. Off the record.

(Discussion off the record.)

Mr. JOHNSON. Any further questions?

Mr. CLAUSEN. Yes, sir.

During the testimony in California, this Public Law 639 of the 87th Congress of course was referred to in testimony, and you heard Mr. Lipscomb here this morning indicate the problem he has.

I wonder if you could review, maybe you already have reviewed, the legislation before us, and do you feel that we have authority or could you suggest to us, either now or you can submit this to the committee, some additional language that might be incorporated into this Disaster Relief Act in order to advance this coordination between the Corps and the Forest Service, which I think might be helpful to this particular situation.

Mr. BACON. Congressman, may I say that the group did meet, as was planned, in the local area, and the agencies did reach general concurrence that there was a real opportunity for the use of Public Law 639, and it would be appropriate for this purpose.

Mr. CLAUSEN. And you have been discussing this with the Corps?

Mr. BACON. That has been discussed with the Corps. There is some general agreement on this. I would like to suggest that we follow up and make a further analysis of this legislation and the possibility of additional legislation, and submit that for the record as part of this hearing.

Mr. NELSON. The important thing is that we should have an overall coordinated approach for the whole watershed, from the downstream up through the urban areas, right up to the headwaters. And that is what was done and is being undertaken on the Los Angeles River. It was tremendously successful, in our opinion.

I think there was other testimony here as to how much damage was prevented. Part of that, of course, was the part that was upstream, as well as the whole coordinated project with the corps, with the county flood control district and with the Los Angeles County Fire Department and Soil Conservation Service, who on the private lands that are similar to the watershed lands of the Angeles National Forest handled by the Forest Service.

Mr. CLAUSEN. I would like to make a request, Mr. Bacon and Mr. Nelson, that you provide the information requested as technical assistance to our staff. I would like to have you coordinate this with them,

and I assume that you will be coordinating it with the Corps of Engineers, consistent with the intent and the language of Public Law 639.

Mr. BACON. We will do that, sir.

Mr. CLAUSEN. I think we will have something that will enhance the ability of both the agencies to accomplish some of these flood-control objectives.

One final question. In the final analysis, of course—speaking very candidly and frankly—is funding not one of the real problems we face in this area?

Mr. BACON. It certainly is, Congressman. Not only the funding itself, but the funding in relationship to this being a total problem involving both downstream and upstream areas, and the importance of the timing of that funding fitting in to such an integrated program. It is essential that the activities downstream be coordinated with the installation of upstream measures, and that these time relationships do fit.

Under Public Law 566, for example, we find that funding is not provided for the needed work that might be done on public land; and, therefore, we find, in trying to use this authority, that the structural and private land work is funded under the provisions of that legislation, without, at the same time, the assurance that the needed practices will be funded on the Federal lands.

This is certainly of major significance in this area in southern California where we do have such a direct relationship between the mountainland situation and the urban environment immediately adjacent to it.

Mr. CLAUSEN. Mr. Nelson, in reading the Department report that was sent back to the chairman, Mr. Fallon, this is the letter of March 20 from the Department of Agriculture, the Under Secretary: They indicate a concern over the fact that the relief afforded in the new contract form should not be overridden by the provisions of this legislation. And then you go on to say, even though the Forest Service has a new form which can meet the problem, there are some outstanding contract forms which were in use before the 1964–65 floods.

Two questions. In your testimony you make reference to the fact that you still have over 900 timber sale contracts in force. Is that nationwide, or is this confined to the area under consideration?

Mr. NELSON. That 900 under the old contract is for our four western Forest Service regions: Pacific Northwest Intermountain; California, and northern.

In California we have 85 timber sales under the old contract, where physical changes would not be taken care of and 445 timber sales under the new contract where they would be taken care of.

Mr. CLAUSEN. Well, now, going on further in your letter, into the letter that was written by the Assistant Secretary, it says:

> However, if the committee should look with favor on the purpose of this subsection, we suggest that provisions should be along the lines of the new contract provisions.

Well, now, I wonder, I am going to make a request, would you provide the staff and our committee with suggested language to conform to that particular recommendation, so that we at least can consider it during our markup session?

Mr. NELSON. We would be very glad to do that. It will be on the basis of treating all timber operators the same, that is how it will come out. We would be glad to be of service to the committee and its staff.

Mr. CLAUSEN. Thank you, Mr. Chairman.

Mr. JOHNSON. We want to thank you gentlemen for coming here.

I might say we are going right through with this until we finish up.

Our next witness is Mr. James Smith from the Farmers Home Administration, Department of Agriculture, accompanied by Jack Frost.

STATEMENT OF JACK FROST, DIRECTOR, EMERGENCY LOAN DIVISION, FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY H. V. CAMPBELL, ASSISTANT GENERAL COUNSEL, RURAL CONSERVATION AND DEVELOPMENT, USDA

Mr. FROST. Mr. Smith will not be able to be here. I am Jack Frost, as, I think, you may know; and this is Mr. H. V. Campbell, Assistant General Counsel to the Department with me.

We would like to comment briefly.

We are glad to be here and to have this opportunity of discussing the Department's position about identical sections 6 in House Resolutions 6508 and 6509.

Section 6 would authorize the Farmers Home Administration to make emergency loans in designated emergency loan counties in California to established farmers and ranchers who have suffered uncompensated loss or damage resulting from recent storms, floods, landslides, and high waters, without regard to their ability to get credit from other sources. These loans would be made to repair or restore their damaged property and to continue their normal farming or ranching operations.

Section 6 would also authorize, in connection with such loans in excess of $500 (*a*) the cancellation of up to $2,500, or (*b*) the forgiveness of interest to the extent of not to exceed $2,500 over a period not to exceed 3 years. The amount of the cancellation or forgiveness would be determined by the amount of the applicant's damage above $500 and the amount of his loan.

If the proposed legislation is enacted, the present "credit elsewhere" statutory eligibility requirement would be suspended through June 30, 1970. This means that until that time emergency loans would be made to all otherwise eligible applicants in designated California counties without regard to their financial conditions. This would conflict directly with the fundamental principle of the emergency loan program that all types of Government loans should be restricted to applicants who are unable to obtain the credit they need from other sources.

To do otherwise would result in competition with private lenders and a greatly increased emergency loan volume with an increased cost to the Government.

There are 15 currently designated emergency loan counties in California. These counties are: Fresno, Inyo, Los Angeles, Madera, Merced, Monterey, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Diego, Santa Barbara, Stanislaus, Tulare, and Ventura.

In addition, we have received recommendations for the designation

of Kern and Sacramento Counties. Also, it is expected that designations will be requested for Contra Costa, Kings, and Orange Counties.

Actually, there has been practically no flood damage in San Diego County, which is one of our designated counties, for other reasons.

There has been considerable damage to farm real estate in other counties along streams and waterways. However, we have received very few loan applications. The explanation we have been given is that farmers in these counties own valuable real estate with relatively small debts. We are informed that it will not be necessary for many to rely on the Government for credit in this situation.

Our field employees estimate that under present regulations approximately 269 farmers in these counties, except San Diego, would request emergency loans totaling $4,045,000.

However, if the "credit elsewhere" statutory eligibility requirement is suspended, they estimate that 2,570 farmers may apply for loans totaling $32,305,000. These estimates represent the number of farms which have been damaged and the cost of repairing the damage and meeting operating expenses in continuing 1969 operations.

Our emergency loan policies are broad enough to meet the needs of otherwise eligible farmers in California who are unable to obtain credit from other sources. These loans are made out of the emergency credit revolving fund in amounts apportioned for this purpose by the Bureau of the Budget each fiscal year.

Mr. Chairman, this completes our statement. We will be glad to respond to any questions.

Mr. JOHNSON. Mr. Frost, the first question I would like to ask is: How did you treat the situation in Mississippi and Louisiana?

Mr. FROST. Actually, Mr. Chairman, it was Louisiana. We had no problem of that kind in Mississippi.

It was authorized and could have been, if needed; but it was not needed. We had a little in Florida, and a lot in Louisiana.

We treated the situation there. We made loans to applicants without regard to their financial ability.

And we made about 6,400 loans for a little over $27 million down there.

Now, the difference in Louisiana and California was that there was very little farm real estate damage in Louisiana. It was mostly crop damage. It came right at harvesting time, and it did terriffic damage to crops.

Mr. JOHNSON. Our damage is going to prevent us from having crops.

Mr. FROST. That is right. Your damage is real estate plus inability to produce crops for a time, and I think that it probably will require, I know it will require, more money in individual cases than was required in Louisiana, because we did not have any real estate damage to be repaired.

Mr. JOHNSON. Now, your emergency funding that was made available, it amounts to about $3 million that was made available to the first 14 counties designated.

Mr. FROST. That was a different fund.

Mr. JOHNSON. Different fund?

Mr. FROST. That was under the ACP program.

Mr. JOHNSON. I wanted to ask a question about that, because you people do have certain jurisdiction over it, I presume.

Mr. FROST. The Department has; we do in Farmers Home Administration.

Mr. JOHNSON. Could you give us the benefit of your knowledge, Mr. Campbell, on that?

Mr. CAMPBELL. It is my understanding that the existing authority for agricultural conservation program payments in emergency situations does result in the use of Federal moneys in a larger proportion than the normal ACP cost-sharing of conservation programs, and this $3 million to which the Chairman has referred has been allocated for those purposes in California at an increased ratio of Federal-to-private money for the adoption of those practices.

The farmowner or operator will still have to provide some of the costs of restoring the land. Now, if he is unable to raise his personal contribution, the Farmers Home Administration stands ready to loan him the amount of his personal contribution to the total cost of those projects.

Mr. JOHNSON. That is to be used mostly to actually restore the lands that have been damaged by flood and debris?

Mr. CAMPBELL. I believe the Chairman is correct.

Mr. JOHNSON. Getting back to the practice that was used in Louisiana after Hurricane Betsy—that is the one we are trying to get at, to apply in California—naturally the Revenue and Taxation Act of 1968 can change your operation, similar to what took place in the small business field.

Now, does that also apply to your operation, I presume it does?

Mr. FROST. It does. But I think our situation was a little different from Small Business Administration, even prior to Hurricane Betsy, and even right until today, because we do have a statutory eligibility requirement: that the applicant must be unable to obtain the credit he needs from other sources.

That is not an administrative requirement. That is in our authorizing act.

I do not want to take up too much of your time here, but we administer that on this basis: The Farmers Home Administration makes the determination whether the applicant gets credit elsewhere. If his financial statement indicates clearly that he cannot, then it is determined that he meets that requirement.

Mr. JOHNSON. That is fine.

Now, in connection with the special legislation related to Hurricane Betsy, give me that requirement.

Mr. FROST. That would be suspended completely through June 30, 1970, and that would not be an eligibility requirement.

Mr. JOHNSON. In our legislation we ask for the same type of consideration——

Mr. FROST. As Hurricane Betsy authorization. Yes, sir, it would be exactly the same.

Mr. JOHNSON. Your statement here today is in opposition to that provision.

Mr. FROST. I would not like to use the word "opposition." I would like to say, does not recommend the enactment of it.

Mr. CLAUSEN. May I ask, in line with that question, how much money

we are talking about? What is the estimate of the California situation, the total amount that would be forgiven?

Mr. FROST. In Louisiana, it was $7 million and something.

In California—Louisiana has a maximum of 1,800; in California that is up, under this bill, to 2,500. But we do not think that we would have as many loans made out there, so I don't believe it would run over $7 to $10 million, something like that.

Mr. CLAUSEN. $7 to $10 million?

Mr. FROST. Of forgiveness.

Mr. CLAUSEN. And you expressed concern over the effect that it would have on the revolving fund.

Now, if the legislation were to include, say, up to the $10 million authority, so as not to affect the revolving fund, would you have the same objection?

Mr. FROST. No. I have not talked very much, Mr. Clausen, about the forgiveness feature. The "credit elsewhere" disturbed us a little more than the forgiveness feature, for this reason, and maybe I am not informed as much as I should be; but, you see, under Hurricane Betsy we were reimbursed for every dime that we charged off.

I do not find that in this bill. But I assume something is anticipated along that line.

Mr. CLAUSEN. Let me read you from the departmental report. It says:

> If the bill is enacted, provision should be made for reimbursing the revolving fund for amounts cancelled or forgiven.

Mr. FROST. That is because of the fact that it is not clear to the Department whether that is intended under this bill. You cannot find it, word for word, in the Hurricane Betsy Act, but there was a section in there providing $70 million to meet the cost of this bill, and we were reimbursed out of that.

Mr. CLAUSEN. I would hope, Mr. Frost, that you would coordinate with our staff to see if there is not a way of working this out, in the way of recommended language, so that the authority itself could be provided and remove some of the objections that are in the departmental report.

Mr. FROST. To reimburse?

Mr. CLAUSEN. Yes.

Mr. FROST. Are we talking now—I want to be sure I have the question—only of that reimbursement or loan funds, the whole situation——

Mr. JOHNSON. Both.

Mr. FROST. Both. We would be glad to.

Mr. CLAUSEN. We will communicate with you further, but I would like to have, if you will, for you to coordinate this with our staff so that we can come up with some sort of resolution on this prior to markup.

Mr. FROST. We will do that right away, not later than Monday.

Mr. JOHNSON. We want to say that the Farmers Home Administration, your personnel, have been very helpful out there, and what we were able to learn while we were in the field, your people were at work.

Mr. FROST. May I take 1 more minute and say this: In saying that the Department does not recommend the enactment of section 6, we

do not mean by that, I do not believe you gentlemen got the idea, that we do not want to be helpful; we do want to be helpful to the full extent that we can out there, and it goes without saying, I think, that if this is enacted, we will do the very best we can with it. We did in Louisiana, and put on quite an extensive program.

Mr. JOHNSON. I realize your experience in Louisiana was not what you would like it to have been. I think we can avoid that in California.

I do not think we have the same situation there, but I do think there is room for legislation to deal with the problem that we face out there.

I hope we can work something out.

Mr. CLAUSEN. I think this is true, Mr. Frost, because if you can take advantage of the experience you had with Hurricane Betsy, and work with our staff to see that the pitfalls are avoided in this particular instance, then we will have the kind of precedent established so that you will not have to be concerned about the implementation of the leigslative proposal in the future.

Mr. FROST. We are thinking, I assume, about some administrative restriction on this financial ability part.

Mr. JOHNSON. I think we can work something out.

Mr. FROST. I am sure we can.

Mr. CLAUSEN. Work with our staff.

Mr. JOHNSON. We want to thank you gentlemen for coming here.

Our next witness will be Mr. Martin F. Maloney, Deputy Director for Engineering, Bureau of Public Roads, Federal Highway Administration, Department of Transportation.

STATEMENT OF MARTIN F. MALONEY, DEPUTY DIRECTOR FOR ENGINEERING, BUREAU OF PUBLIC ROADS, FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION; ACCOMPANIED BY F. J. VERITY, BUREAU OF PUBLIC WORKS PROGRAM OFFICE; AND RICHARD S. SALZMAN, ASSISTANT CHIEF COUNSEL, FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Mr. MALONEY. I have two gentlemen with me, if it is satisfactory; Mr. Richard Salzman, from our General Counsel's Office, and Mr. F. J. Verity, from the Bureau of Public Works Program Office.

Mr. JOHNSON. Go right ahead.

Mr. MALONEY. Mr. Chairman, and members of the subcommittee, I am Martin F. Maloney, Deputy Director for Engineering of the Bureau of Public Roads, and I welcome the opportunity to testify today with respect to H.R. 6508 and H.R. 6509.

These bills would provide assistance to the State of California for the reconstruction of roads damaged by recent storms, floods, landslides, and high waters.

As you are well aware, Mr. Chairman, the tragic loss of life and property in California is a matter of grave concern not only to that State itself, but also the Nation as a whole. Damage to highways on the Federal-aid highway system and to other Federal public roads and trails totaled $45 million by our most recent estimate. The additional damage to highway facilities off those systems is some $53 million at last count.

These estimate values differ from those I noted in the report yesterday by the California State Department of Public Works. It is likely that our figure of $53 million is high. The values can and will be reconciled with those of the State's, since we work closely with them, and our values are derived from the same source data as their own.

But, without question, the damage is great and the cost is high.

Federal aid to repair and replace this damage to highways is now available from two sources. Sections 120 and 125 of title 23 of the United States Code provide for emergency relief for the repair or reconstruction of highways on the Federal-aid system and for roads and trails in the national forests, national parks, public lands areas, and Indian reservations.

This aid is available when the damage results either from a natural disaster occurring over a wide area or a catastrophic failure from any cause.

Funds for repair of the damage to on-system roads is available from this source, and we now estimate that sufficient funds will be available to perform the necessary work authorized by this section.

The Federal Disaster Act, Public Law 81–875, found at title 42, United States Code, section 1855, provides for "emergency repairs" of, and "temporary replacements" for essential public facilities. This is the second Federal source of emergency aid.

It is anticipated that funds under this act will be available from the Office of Emergency Preparedness for certain repairs to off-system highways and roads.

We would like to point out, however, that H.R. 6508 and H.R. 6509 allow temporary or permanent repairs and reconstruction of highway facilities, while aid under the Federal Disaster Act is limited to emergency repairs and temporary replacement.

While we realize that permanent repairs will be necessary in the future, we nevertheless believe that these repairs are the responsibility of the State and local governments. Any major change in this policy should not be made without further study, and then by an amendment to Public Law 81–875 rather than on an ad hoc basis.

We, therefore, recommend against enactment of these measures, Mr. Chairman, because we sincerely feel that they largely duplicate services available under the Federal Disaster Act. If additional funding is needed, we would recommend this be accomplished under that legislation directly.

Thank you very much.

Mr. JOHNSON. Is there any other statement that you other two gentlemen would like to make?

We have, as you recall, a bill with certain provisions. Now, the matters relating to the Forest Service were pretty well cleaned up this morning. They stated to us that the Bureau of Public Roads would make available the necessary funds to restore the forest roads and trails to acceptable standards. And this would be money in addition to their regular roads and trails program.

Mr. MALONEY. This is correct, sir. We have had an exchange of correspondence with the Forest Service. We will finance the repairs to the forest roads and trails, presently estimated at somewhere between $16 and $20 million, under the provisions of section 125. And we have, just within the past week or so, in a correspondence exchange, estab-

lished a simplified procedure, project procedure, for handling this work; and the two organizations are well correlated on this effort.

Mr. JOHNSON. Now, roads on the Federal-aid system, you stated that there is sufficient authority to reimburse the State for that type of restoration.

Mr. MALONEY. Yes, sir. We have, under section 125, funds, I am not sure as to the balance available right at the moment, but it is in the order of $90 to $100 million under the section of the act which gave us $50 million for expending within any one fiscal year, but funds not expended carrying on over for 2 years.

We now have in that fund source, as I said, approximately $90 to $100 million, and we have additional funds coming up at the beginning of this fiscal year.

So I believe we are funded in that area for work on the Federal-aid system.

Mr. JOHNSON. Now, the roads off the Federal-aid system, the county roads and city streets, as I understand your statement, you say that that authority lies with the Office of Emergency Preparedness to do temporary repairs or emergency repairs. And you further state that the obligation then would lie with State and local governments to take care of the balance of it on their own.

Mr. MALONEY. That is our position, yes, sir.

Mr. JOHNSON. In the bill we ask for consideration for a certain amount of money to assist the counties and cities and the State for roads not on Federal-aid system, beyond the work to be done by the Office of Emergency Preparedness.

Now, your department, or bureau of public roads, does not recommend enactment of that specific part of the legislation.

Mr. MALONEY. That provision, yes, sir; that is correct. We felt that if there is additional funding needed to the OEP, they can address themselves to this issue in a moment, but those funds could be made available without this measure, and there is, however, the limitation of temporary replacements and emergency repairs as opposed to permanent repair work—the OEP does not have that authority.

Mr. JOHNSON. We are confronted with a fairly good size amount of damage to county roads and city streets, more so than to State highway system, I would say, or to the forest roads and trails—in 1964 and 1965 it was just the reverse. We do have quite a heavy obligation upon counties and cities to take care of this, beyond Public Law 875.

Now, those of us from California who have looked over a lot of the damage and talked with the county, city, and State people realize that there is a big gap, a big job to be done. Naturally those of us from California have been looking forward to section 2, that would allow this to be authorized and funded with a measure passed by Congress and signed into law by the President.

I realize you take opposition to this particular section. We are confronted with where OEP leaves off and where we have to pick up and carry on.

And we are behind in our regular construction of county roads and city streets. We have deficiencies there, and fatalities are piling up.

Traveling through our State, I was able to see that these counties that we declared disaster areas certainly have got a lot of damage.

Section 2 of the bill is needed at the present time to pick up the gap where OEP leaves off. It is a large job to do there on the part of the local government.

Mr. CLAUSEN. Mr. Chairman.

Mr. JOHNSON. Mr. Clausen.

Mr. CLAUSEN. Would the emergency fund money pay 100 percent of the cost of reconstruction of highways on the Federal-aid highway system?

Mr. MALONEY. On the system, yes, sir. There has been a letter from Mr. Turner to Governor Reagan stating that. The section provides that the Secretary may go up to 100-percent Federal financing, with a finding that it is in the public interest.

There is a letter from Mr. Turner to Governor Reagan making that finding of public interest.

Mr. CLAUSEN. You anticipated my question. I was going to refer to that section of the Federal-aid Highway Act that was passed just this last year.

Mr. MALONEY. Yes, sir. I think I can provide a copy of that letter for the record, if you wish.

Mr. CLAUSEN. I think it would be helpful, if we could have inserted, Mr. Chairman, at this point, a copy of the letter from the Federal Highway Administrator, Mr. Turner, to the Governor.

I would like to have it inserted at this point.

Mr. JOHNSON. Without objection, so ordered.

(Letter referred to follows:)

Hon. RONALD REAGAN,
Governor of California,
Sacramento, Calif.

DEAR GOVERNOR REAGAN: As requested, I concur in your proclamation of January 30, 1969, that an emergency exists throughout the State of California except for San Diego, Imperial, Modoc, Lassen, Nevada, Placer and El Dorado Counties as a result of recent and continuing storm and flood conditions. Our engineers working closely with your Division of Highways confirm that serious damage exists to highways on the Federal-aid systems due to storms and flooding beginning January 17 and continuing through February.

For the reasons listed in the Division of Highways letter of February 21, I find it to be in the public interest for the Federal share of projects for repair or reconstruction to be 100 percent of the costs thereof as provided by Sections 120(f) and 125 of Title 23 USC as amended.

The California Division of Highways is being advised of this concurrence through regular channels.

Sincerely yours,

F. C. TURNER,
Director of Public Roads.

Mr. JOHNSON. We want to thank you, Mr. Maloney, and the people coming here, giving us the benefit of your position on the legislation. We will probably be calling on you for further discussions.

Our next witness will be Mr. Fred J. Russell, Deputy Director of the Office of Emergency Preparedness, accompanied by Mr. Charles Kendall, general counsel, and Gordon Gillis, congressional liaison.

STATEMENT OF FRED J. RUSSELL, DEPUTY DIRECTOR, OFFICE OF EMERGENCY PREPAREDNESS; ACCOMPANIED BY CHARLES KENDALL, GENERAL COUNSEL

Mr. CLAUSEN. As these gentlemen are approaching the witness table, I think it is more than appropriate that we recognize the exceptional efforts that Mr. Russell has made. It can certainly be said that he really got his feet wet at an early stage of his career with the Office of Emergency Planning, and I want to say, without fear of contradiction, that I believe we have witnessed one of the finest displays of initiative on the part of an individual concerned about some major problems.

And as you accompanied the committee throughout the disaster area of southern California, I, for one, was absolutely amazed at your ability to grasp the problem and then come forth with some specific recommendations; and I think, with your coordination of the "Operation Foresight" and some of the other operations directed to your own interest and contribution—I feel the record must show this—I am terribly impressed, Mr. Russell.

Mr. JOHNSON. You may proceed, Mr. Russell.

Mr. RUSSELL. Mr. Chairman and members of the subcommittee:

I am pleased to be here today to submit my agency's comments on H.R. 6508 and H.R. 6509, identical bills entitled: "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters."

These bills do not alter the national disaster aid program administered by the Office of Emergency Preparedness under Public Law 81–875, or its role as coordinator of overall disaster relief activities for the President.

Section 1 and other sections of the bills refer only to damages that occurred in California during December 1968 and January and February 1969, and authorize special measures to assist the people of that State in the reconstruction and rehabilitation of the devastated areas. The President, in his declaration of a major disaster for California, under Public Law 875, established the incidence period for damages beginning on or about January 17, 1969. The Federal-State Disaster Assistance Agreement presently sets a terminal date of March 5, 1969.

To date, $8 million of Public Law 875 funds have been allocated to the State. Thirty-seven counties out of 58 in the State have been declared major disaster areas eligible for this assistance. The State, as of March 14, 1969, had received 205 project applications totaling almost $50 million. None yet has been approved by the State, but advance copies have been furnished to our regional office.

Since this was written, though, there now, today, are two that have been approved by the State.

The recovery work is underway. Federal-State inspection teams are making damage surveys upon which to base evaluation of the project applications.

In addition to the project applications, 97 resolutions have been received from local applicants, requesting that restorative work be performed by various Federal agencies.

Most of these requests, involving a total estimated cost of slightly over $20 million, have been referred by our regional office to either the U.S. Army Corps of Engineers or the Bureau of Reclamation, Department of the Interior.

We have been advised that no project applications yet have been filed under section 9, Public Law 89–769, for projects under construction; but the State of California has indicated there would be about 25 such projects, and gives no dollar estimate thereon.

Section 2 bears a relationship to the Federal disaster assistance program administered by OEP. It authorizes funds for "temporary and permanent repairs and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under existing provisions of Federal law."

We would interpret "highway facilities" within the intent of the proposed bills to include public roads, streets, bridges, and low-water crossings.

Federal-aid system roads damaged or destroyed by a disaster over a wide area are now eligible for permanent reconstruction under section 125 of title 23 of the United States Code, administered by the Secretary of Transportation.

State and local roads damaged by a major disaster, as determined by the President, are eligible only for emergency repairs or temporary replacement under Public Law 875.

Section 2 would, therefore, authorize appropriations of not to exceed $15 million to the State of California during the fiscal year ending June 30, 1969; and $15 million for the fiscal year ending June 30, 1970, for (1) the repair or reconstruction of highway facilities not in the Federal-aid system, and (2) permit such repairs or reconstruction to be accomplished on a permanent basis, as distinguished from temporary repairs as now authorized by law.

As we understand it, this would be the first time that such repairs or reconstruction would be paid for by Federal funds on a permanent rather than a temporary basis.

Under Public Law 81–875, the Federal Government can pay the entire cost of temporary repair or replacement of all non-Federal-aid public roads which have been damaged in any declared disaster area or, at the option of the local authority, will make an in-lieu payment equal to the cost of such temporary repair or replacement.

Thus, the local authority is able to apply the amount of the in-lieu payment against the actual cost of permanent repair or permanent reconstruction.

The remaining sections of the bills affect the programs of other Federal agencies. We defer to the views and recommendations of those agencies in their areas of technical competence.

Thank you very much for the opportunity to present our views on these bills. I shall try to answer any questions you may have.

Mr. JOHNSON. We want to thank you, Mr. Russell, for that very fine statement.

I, at this time, want to thank you for your time and effort put forth in our trip to California, that Mr. Clausen referred to. You were a very helpful person. And your representatives who are located in Santa Rosa, they also have been very active, cooperative, in trying to help us solve our problems out there, which result from the disaster.

I might say, in connection with your paper here, that the reason we brought in this item here, section 2 in the bill, was for the simple reason that here is where the major damage was done to local government, was on the county road system and city streets.

I realize, and we appreciate, the application of Public Law 875 as administered by your office, in helping us get back into business again and giving us some temporary repairs.

Our local governments out there have requested us to try and bring relief in this area. That is why it is in the bill for the first time.

The last time we had the disaster in California, in 1964 and 1965, the legislation was perfected in mid-1965, we did not have the damage, the amount of damage to local government on local city streets. Most of the damage was on State highway system, and forest trails and roads, which we did get relief for, and some assistance.

That is why it is in here at this particular time. I fully realize the departure from existing law, but we are trying to convince the Congress, and, we hope, the President, that it is a just request.

And if we can pass the act and have it signed, why, I am sure the people affected at the Federal level would have no objection to going ahead and assisting local governments in trying to have restoration on the county roads and city streets.

So we will have our difficulties, I presume, with that.

I am wondering, Mr. Russell, while we were out there we discussed a number of things, and one was the snow problem that we face, that was not amply covered at that time, or there was some question about it.

We appreciate the asistance given us in mountains where your equipment was made available to State and local government that assisted us in coping with some of the snow situation.

Do you have any comment on the emergency to come out of the snowfall?

Mr. Russell. Well, the snow removal problem, I gather, is what you refer to?

Mr. Johnson. Yes.

Mr. Russell. We have developed an approach and just have released it to all of the Governors, or are releasing it today, to all of the Governors of all but eight States, who have a snow removal problem. Two of these may have a snow removal problem, but they are too far away to be involved in a mutual assistance pact: Hawaii and Alaska.

But there are six others that are fortunate not to have a snow removal problem, so it appears, so the idea that this pact contemplates would be that there would be made available, on a reimbursing basis, all of the available snow removal equipment of those snow States, to assist in snow removal wherever it is above average, and therefore above the capability of the local snow removal equipment.

This contemplates that there will of course be some needs to change, but that there should end up in being a pact that, not a local one but one that would embrace all of the snow removal State problems, so that the bigger the area of snow to be removed the larger the perimeter of such area; therefore, the larger the area from which help directly can come from the outside.

Now, the other snow problem, of course, is the one which—it started out being called the preflood fight; but now it has been given a name, by the press I guess—of Operation Foresight. This is the one that is concerning itself with the substantial amount of flood damage that is in prospect.

Now, there is no way to predict for certain that there will be floods, but there are 21 States that have this problem, I think, or 22. And the best approach, of course, to take is that there be a maximum effort made to prepare for such flood possibilities, and on the basis that every bit of water that can successfully be carried away, and the cost for doing such carrying away by flood control measures, pays for itself many, many times over in the damage that is thus averted.

So in this connection we have used the approach of the Corps of Engineers and the Public Law 99 money.

The reason for doing this is that we were able, under this arrangement, to see done everything that could be done. It was not a matter of money, it was a matter of time. The Corps of Engineers has done an outstanding job, and is doing an outstanding job, along with a great amount of cooperation from the local people. The results, I know, are better described by the Corps of Engineers, who are going to be following me.

But, as a result of using this approach so heavily and in a way that never was done before, this has in mind that the most would be done in the amount of time that we find ourselves with, from February 28, when the first meeting with all of the agencies which might be involved in floods were brought together.

One of the excellent advantages of this is that the procedures that could be followed under the Public Law 99 and Corps of Engineer action are conducive to getting the most accomplished, because there is not any lengthy filling out of applications and processing of applications through local, up through State disaster offices, and on to Federal, as there would be when you use the type of program as under Public Law 875.

Mr. JOHNSON. Now, from your general observations, of course you witnessed the same thing that we did every place we visited, we saw damage of one kind or another, there is a lot of damage, you know, in the private sector, both the farmlands as well as city dwellers and businesses; and, as we discussed on that trip and discussed here this morning with the Small Business people, and Farmers Home Administration, there is an interest consideration, rather rough I guess to face, talking about 3-percent money, and the Government borrowing at much higher rates than going into consideration of permanent legislation.

I do not know what we can do about the temporary legislation dealing with individual disasters. But I am sure you witnessed the people there who were affected by the disaster. And they were looking for the Small Business loans and Farmers Home Administration loans and assistance.

Do you have anything that you might say on the interest factor, as a representative of the Federal Government, the new administration?

Mr. RUSSELL. I was able to witness it firsthand, that the Small Business Administration program had been so restricted by regulations that were put into effect in March 1968, and nobody was aware, really, of the fact that this had occurred until January 1969, because there

were not any disasters of any consequence during the period from this March 1968 to January 1969.

Now, of course, we have the California disaster, the Arkansas disaster, and there now is a potential exposure that is perhaps the greatest in disasters that we have ever had.

And we have no effective program on this SBA small loan, and therefore the program which is so important to relief to the private individuals and the private businesses is lacking.

I think that the best thing that could happen would be that there be a different view taken than one which only has a few destitute people or paupers in mind.

Instead, perhaps an approach that, first, just for the interest rate to agree with Government's cost of interest during the year that the loan is made would be very, very appreciated assistance. It would be a substantial help financially, because it would be considerably below what today's and what future interest rates to private individuals and small business are expected to be.

I agree with Congressman Clausen that to take disaster loans away from the financial world, to the extent that such a program would operate, would not be doing—working any hardship on financial institions, the private financial institutions; and the other part of such a program then should be that anyone who suffers a disaster loss should be permitted to borrow the amount, the dollar asset loss amount, less any insurance recovery, and the rate be at the rate that would be favorable but yet in line with what the Government's interest would be.

Mr. CLAUSEN. This is very interesting, because in addition to my having made these extemporaneous remarks, I want to report to you, Mr. Russell, that I have been reading Mr. Johnson's testimony. You have almost quoted verbatim his comments and his concern.

And so then you are dealing with two people that have had a great deal of experience with disasters in our respective areas. And we find your testimony totally consistent with what we have both said.

Mr. JOHNSON. There is one other matter, Mr. Russell, and that was: where we have two Federal agencies who have a great deal of capability under this—as you recall in our discussions, when we were in our State, relating to one or two of the damaged areas coming under the jurisdiction of the Bureau of Reclamation, in the first instance, where they had large offices, staffs, equipment, personnel, and they have been the constructing agency for—one was in Ventura County and the other one was in Eldorado County, seemingly there was some provision put in the Appropriations Act recently that short of restricted your authority to bill directly to the Bureau of Reclamation and say, "We have an emergency over here, and I, as the Office of Emergency Preparedness, would like to designate you as the agency to get in and clean this up."

You have that authority with the Corps of Engineers. But as I understand it, there is some provision that was written into the Appropriations Act which restricts you from doing that with the Bureau of Reclamation, that very capable organization doing business in the State, which happens to be in California—it may not be in all States—but during an emergency I think that we should have leeway to bring in the Federal agencies, of the Federal Government, and put them to work.

They are the agency that goes in there and does the work, but possibly—well, I realize this would be permanent legislation. We are dealing with something that would be placed in an appropriations act.

Whether to go through this particular bill, try to eliminate that, and grant the authority as permanent legislation, that is something else.

But I am sure you are aware of that with your office in Santa Rosa, and the Corps of Engineers, there was some sort of consideration that had to take place prior to putting these people on the job—two jobs, one in Ventura County, one in Eldorado County.

If done by the Bureau of Reclamation, they are the agency that can go in there as far as restoring the facilities that had been damaged due to the disaster.

Now, this is a ticklish area. I just point it up to bring to everyone's attention that with two very fine agencies, with great capabilities during emergencies, Emergency Preparedness should be able to——

Mr. RUSSELL. You are correct to say that, under the present law, they are not permitted to be called into a job, except when we have the money in advance. And they, then, in turn, are to be paid for, on a basis that reimburses all costs in full.

The result prices them out of contention, as compared to the costs of work being done by the Corps of Engineers or other Federal agencies.

Mr. CLAUSEN. I have a few questions, Mr. Russell.

First of all, I want to compliment you, the corps, the other agencies, and the leadership in the administration for developing this Operation Foresight.

And certainly I think you would agree, having sat here most of the morning listening to the testimony that, the old saying, you know, "if our hindsight were as good as our foresight," we wouldn't have half the problems in the Nation and the world today.

I would hope that you use your office, your position of high responsibility in the Office of Emergency Preparedness, and the influence you have today to as many of the members, those people who are serving in the positions on the National Water Resources Council, I hope that you will convey to them what you have observed firsthand in California. And this is an example of what is taking place in other disaster areas that we visited throughout the United States, to take to them the message of how important it is to change this priority on funding on permanent protective works.

And I will communicate further with you on this.

Second, I would hope that you would convey what you have expressed in testimony to the SBA, following our session here today.

Now, in addition to the SBA, the Bureau of the Budget, I believe, has to have a broader understanding of the importance of this. I think there has to be a change in the philosophy, and I believe that your organization, under the basic concept that you have already developed, Operation Foresight, extends that Operation Foresight right into the Administration, at the Bureau of the Budget level, all the way from the director, I hope, right on down into the people that actually administer the program.

It is a question of priorities. But I think that time and time again we have seen, those of us who have been exposed to the funds, the

bitter experience of what a lack of foresight has brought about in the way of tremendous devastation and serious social and economic problems for people.

And I feel so strongly about this, as you know.

Now, does the Office of Emergency Preparedness, do they have sufficient funds to be able to take care of the contemplated problems in California?

Mr. RUSSELL. They have. I would explan that they have as ample funds to meet the amounts that are to be reimbursed or paid during this fiscal year. The payouts on this go over a considerable period of time. There will be more funds that will have to be appropriated, as we reach those later periods of time.

Mr. CLAUSEN. Now, would the same thing apply to Public Law 99, or should I direct that question to General Koisch?

Mr. RUSSELL. It would be better to ask General Koisch that.

Mr. CLAUSEN. This is my final comment as far as you are concerned:

I would hope that with the position taken with respect to these non-Federal-aid roads, I would hope that you would lend every effort to the State, and hopefully get together with the State officials, while they are here, to see if we cannot work out something to provide some type of relief to these people that have been hit very hard.

Mr. JOHNSON. Thank you, Mr. Russell.

Mr. RUSSELL. Thank you, sir.

Mr. JOHNSON. Our next and final witness will be Gen. Francis P. Koisch, and Lt. Col. Kenneth E. McIntyre.

STATEMENT OF BRIG. GEN. FRANCIS P. KOISCH, DIRECTOR OF CIVIL WORKS, U.S. ARMY CORPS OF ENGINEERS; ACCOMPANIED BY LT. COL. KENNETH E. McINTYRE

Mr. JOHNSON. I want to apologize for keeping you here through lunch, but you are looking pretty healthy, and we thought if we keep you here you would appreciate the rest of the afternoon off.

We had a couple extra witnesses this morning, which we did not figure on.

I want to say at this time that we certainly appreciate all the time that you give this committee, and all the fine work and coordination that was provided by your people to us while we were out in California.

Everything that I heard out there was very complimentary—good organization.

You may proceed.

General KOISCH. I am Brig. Gen. F. P. Koisch, Director of Civil Works of the Office, Chief of Engineers. I am very pleased to appear before you today in connection with H.R. 6508 and 6509, which are designed to afford assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

These bills would provide funds for the repair and reconstruction of highway facilities not in the Federal-aid systems; would provide cost-sharing arrangements for construction and reconstruction of the regular road and trail construction program in timber production

areas; would provide additional time for public land entrymen to comply with conditions of law; and would provide loan assistance in case of property loss or damage.

These provisions are to be administered variously by the Secretaries of the Treasury, Interior, and Agriculture, and the Administrator of the Small Business Administration.

None of these proposals are concerned directly with projects of the Corps of Engineers, nor do they encroach upon areas of responsibility traditionally allocated to the Corps.

I was privileged, along with Lt. Col. Kenneth McIntyre of my staff and other Corps of Engineers personnel assigned to our division and district in California, to accompany members of the Subcommittees on Rivers and Harbors and Flood Control from February 10 to 14, 1969, to view the effects of the flood and to participate in the hearings at the affected localities where the people of the State of California told the subcommittees of the extent of the disaster.

They made a matter of record the loss of life, the suffering, and the economic disaster which had befallen them as a result of the abnormal rainfall. They asked for assistance beyond that available to them in the existing Federal laws applicable to disaster relief.

From what we saw and from the testimony at the hearings there is no doubt that a major disaster occurred in California.

Aside from the suffering and inconvenience and financial loss incurred by individual citizens of California, there is no doubt in my mind that the agricultural losses in particular will affect the rest of the Nation.

The Corps has been actively engaged in flood protection and the amelioration of flood damages that resulted from the disastrous California floods of January and February of this year. These floods were estimated to have caused damages totaling $254 million in the State of California.

Completed or useful projects of the Corps of Engineers, constructed at a total Federal cost of $872 million prevented far greater damages which would have otherwise occurred, estimates at $1.6 billion.

In addition, Corps projects which are authorized but not constructed or fully useful would have prevented $32 million of the total damages which did occur.

As soon as the magnitude of the flood threat became apparent the Corps of Engineers installations in California were placed on a 24-hour flood alert and emergency operation centers were activated for service. Corps personnel were dispatched to the affected areas. These personnel were actively engaged in disaster work rendering technical assistance to State and local authorities or leading flood fights at the request of local authorities.

Corps personnel, operating within the statutory responsibility of Public Law 99, 84th Congress, conducted emergency operations such as those required to prevent possible levee failures on Kings River and San Joaquin River, accomplishing initial emergency repairs to levees which prevented or mitigated flood damage.

In emergency flood control activities under Public Law 99 we have already committed $5.2 million for rehabilitation of flood control works in California.

However, this estimate may be substantially increased when the damage surveys are completed. Flood damage surveys of the affected areas were promptly undertaken by the Corps, both to determine requirements for assistance that could be provided by the Corps under continuing authority available to the Chief of Engineers; and to provide information requested by the Office of Emergency Preparedness as a basis for Federal disaster assistance under the Federal Disaster Act of 1950, Public Law 875, 81st Congress.

Immediately after the President invoked the provisions of Public Law 875, the Corps initiated disaster recovery work as directed by the Office of Emergency Preparedness. The disaster assistance being provided includes health and sanitary measures such as debris removal, emergency repairs to public facilities such as roads, bridges, sewer, and water systems; and channel clearance and restoration work determined to be immediately required as a result of the floods.

The program cost of OEP-requested work to be accomplished by the Corps is currently estimated at $24 million. However, this estimate is also expected to be increased considerably when the full extent of eligible work is known.

As requested by the Chairman, I am accompanied by Lt. Col. Kenneth E. McIntyre, who accompanied the subcommittees to California last month. He and I are now available to respond to any questions you may have.

Mr. JOHNSON. We want to thank you, General Koisch.

Does Colonel McIntyre have anything to say?

Colonel MCINTYRE. I do not, sir.

Mr. JOHNSON. I presume, with all the work the Corps is doing, you have ample authority and you have ample funding?

General KOISCH. Ample authority, sir. The funding at this particular time, with regard to Public Law 99 work, we ended the fiscal year with an obligation authority available to us of slightly over $10 million.

As I noted, we have already committed $5.2 million in California. We have already committed a few millions more to the rest of the country, and Operation Foresight. We had expected to expend this year, of these types of money, $5 million.

So, in effect, we have already committed far more than we had expected.

Under the law, Public Law 99, Congress, in effect, authorized us to use $15 million in any one year. They were also wise enough to provide that if the expenditures exceeded that, the Chief of Engineers could utilize any money at his disposal, and the Congress would then reimburse him in the following year.

We are proceeding along that basis, under Public Law 99.

As you have heard the testimony from the Office of Emergency Preparedness people, our estimate of work that we will do for them is now at $24 million. I think it was reported they had thus far committed about $8 million to the California situation.

In effect, we are operating from any other funds available to us, in order to accomplish what is being done, depending upon reimbursements sometime in the future.

Mr. JOHNSON. All of our people from California, of course, are very, very happy that you people responded and took care of the work under Public Law 99. That was a real big help to us, and it was quite

an obligation to get in and perform the work with the funds being available. It helped us out a great deal.

Now, your Operation Foresight, I, too, want to commend you for that, because you certainly brought together all of the forces for the full time, and I do hope that we do not have the experience of too many floods; but, as I have been told by you and others, that we are going to get very wet in certain places beyond anything we can do with Operation Foresight.

The preventive measures that will be taken, I know in our State, will be joined in by everyone, and will be very helpful to us.

Now, there is one other question, General, that we discussed while we were in Los Angeles, and that is the further consideration given to the flood problem similar to works placed in Los Angeles, that I understand you to say, in Los Angeles there would be a meeting, as I understand, with the Forest Service. The meeting has been held, and you are working to bring about a solution to the problem, based upon Los Angeles River works there——

General Koisch. Yes. The Washington-level meeting was held early in February. On about February 26 we held a meeting out in California with the regional people. We are all in agreement as to the fact that we should do this, essentially, jointly.

The plans should be coordinated. The Corps feels that they have all the necessary authorities already available to them to participate in the joint studies.

The Department of Agriculture, however, appears to be not too sure of that, so the difficulty really has to be ironed out, I believe, on their side. We could do independent studies and correlate them, but we would be better off to really do them jointly.

Mr. Johnson. Any questions?

Mr. Clausen. I understand that you asked the question with respect to funds on Public Law 99. I understand you already answered that.

General Koisch. Yes, sir.

Mr. Clausen. Based upon what you have observed in the Glendora section, and that testimony made with respect to Public Law 566 and Public Law 99, do you believe that either one of these basic laws should be expanded to meet the problems that seem to be occurring in these urban areas?

General Koisch. I think, sir, we just discussed the business of getting the Public Law 566 work tied in with ours, so we have this urban-suburban thing under control.

With regard to the specific problems that occur in a place like Glendora, we call to your attention that section 208 of the Flood Control Act of 1966 authorized the study of the slide situation in the Pacific—Pacific Palisades area. It is limited pretty much to Los Angeles County.

Thus far we have expended $7,000 on this study. Congress did give us some money last year to continue it, but because of other expenditure limitations, we did not continue to study.

We have again asked for money in the fiscal 1970 budgets which are now under consideration. This is directed to primarily trying to determine causes of the slides and ways to alleviate it. That is directed essentially at mud and moving hillsides.

Those studies of course need to be made in connection with the overall picture that you have just brought up. We do have this authority to go ahead and study mud slides, at least in one location.

Mr. CLAUSEN. As you know, Chairman Jones of the Flood Control Subcommittee expressed the thought that Public Law 566 might be expanded so that we could include not only 566 but coordinate this through Public Law 639, so that the activity between the Forest Service and the Corps of Engineers in this particular instance could be extended and expanded.

General KOISCH. I think so, and I would repeat my remark that in the Corps we feel we have all the authority necessary for these studies. The problem appears to be in the Department of Agriculture with regard to their interpretations of authority.

Mr. CLAUSEN. I see.

Mr. JOHNSON. We want to thank you gentlemen.

Before we close here, there was a list of questions that Congressman Pettis wanted to ask of you people while you were here. I will give you a copy and if you will answer them and get them back for the record, we will hold the record open until we receive them.

(Questions proposed by Mr. Pettis follow:)

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D.C., April 4, 1969.

Mr. ROBERT E. JONES, Jr.,
Chairman, Subcommittee on Flood Control, Committee on Public Works, House of Representatives, Washington, D.C.

DEAR MR. JONES: At the conclusion of the open hearing of the Subcommittee on Flood Control on March 21, 1969 with respect to H.R. 6508 and 6509, questions presented by the Honorable Jerry L. Pettis were referred to me with the request that responses thereto be furnished for the record.

The questions and answers referred to are inclosed herewith.

Sincerely yours,

JAMES B. MEANOR, Jr.,
Colonel.

(For F. P. Koisch, Brigadier General, U.S. Army, Director of Civil Works).

Question 1. In an aeeelerated or crash program to provide urgently needed projects in devastated areas, if we assure you of eonstruetion funds, how long would it take to initiate construction after the survey report is completed?

Answer. On an accelerated or crash basis and with adequate funds available at the onset, an authorized levee or channel improvement project costing up to about $5 million can be put under construction within a year, and a moderately sized reservoir early in the second year. To meet such accelerated schedules actions by non-Federal interests towards fulfilling cooperation requirements, such as furnishing rights-of-way or cost sharing, also must be on a crash basis. No allowance is included in these schedules for time lags inherent in normal budgetary procedures between project authorization and appropriation of funds for advance engineering and design, or for withholding appropriation of construction funds until pre-construction engineering is essentially completed.

Question 2. In aeeelerating survey reports to Congress for authorization, could not many of the teehnical details whieh are raised in early review be deferred and handled in later planning to expedite authorization?

Answer. Deferral of technical details developed for survey reports or those raised in our early reviews would not accelerate the authorization process, as such details are included only to the extent required for Secretary of the Army and Bureau of the Budget action and to permit making sound recommendations to Congress. Much of the time spent in the review process (120 to 150 days) is consumed in obtaining the comments of states and interested agencies as required by the Flood Control Act of 1944 and Senate Document No. 97, and in the resolution of conservation and environmental problems which are becoming increasingly more time-consuming. If all the agencies and interests involved would

expedite furnishing their comments, the time required for processing reports to Congress would be reduced proportionately.

Question 3. As the result of recent floods, where the need for flood control projects is obvious, with the damages and rehabilitation costs high, how can you accelerate needed flood control works?

Answer. When necessary priorities are established and with adequate funding provided in a timely manner the Corps of Engineers can accelerate completion of flood control projects by mobilizing the engineering and construction talents of highly trained personnel with long experience in this type of work. Temporary reassignment of personnel to the region of need and assignment of work parcels to offices in other regions can reduce the time for pre-construction engineering to a minimum. Following this with accelerated construction schedules, where warranted, also expedites completion of urgently needed projects. Our nationwide organization was used in this manner following the devastating hurricane induced flooding in the New England states in 1955.

Question. 4. It appears that it takes the Corps of Engineers about 15 years to carry an urgent project from the request stage to completion. How can the Corps streamline its operation to move these flood control projects faster and keep pace with developments?

Answer. A significant part of the elapsed time from the request stage to receipt of reports by Congress is beyond the direct control of the Corps. Time consumed by coordination with the growing number of Federal, State and local interests concerned with water resources is increasing. A recent analysis has indicated that the average time between study authorization and project authorization is 10 years and 8 months, of which time 44 percent was spent awaiting first appropriation of study funds, 45 percent in report preparation and 11 percent in review by the Secretary of the Army and the Bureau of the Budget. There are also substantial lags between authorization and appropriations for initiation of engineering design and for construction. The small projects program administered by the Corps permits expeditious handling by eliminating many of the funding and processing delays incurred by larger projects. Some expansion of this program would be beneficial.

The greatest gains, however, are to be realized through increasing our level of effort. Under our present work loads, any decrease in the time required from the initial request for a study to project completion would require corresponding increases in our funding and staffing. At the present time we have some 1100 requests from Congress to study flood and other water resource problems; however, our annual level of funding supports work on only about 350 studies. Also, we now have 452 authorized projects with a total Federal cost of $9.6 billion not funded for construction, of which engineering design has not started on 198 with an estimated cost of $4.5 billion. We maintain our staffing at a level consistent with the number of reports actively under study, and with the present rate of funding on individual studies and projects. Any increase in funding would need to be gradual, to permit reasonable lead time to enlarge our staff capability.

Mr. JOHNSON. We want to thank you for appearing here, and thank you for all of the past help of aiding in our trip out there.

Colonel McIntyre, you had a pretty tight schedule. We were on our feet early in the morning until late at night. We did have some very fine hearings.

The committee stands adjourned, subject to the call of the Chair.

(Whereupon, at 1:35 p.m., the subcommittee was adjourned, subject to the call of the Chair.)

(The following were received for the record:)

MOUNT BALDY, CALIF., *March 5, 1969.*

HOUSE OF COMMITTEE ON PUBLIC WORKS,
Rayburn House Office Building, Washington, D.C.

DEAR SIRS: In order to insure a record of the existing conditions of the San Antonio Canyon Stream, in particular the Mt. Baldy Village vicinity. I am going to recount some of the particulars of the recent flood damage.

In the latter part of January of this year 1969, we were the recipients of a series of the wettest storms ever recorded in this area. In a period of time amounting to approximately one week, we were deluged with upwards of 40 to 50 inches of rain. This amounts to our seasonal average for the total year! At the present

time, our precipitation is over 90 inches! This is truly an unusual situation if one considers the weather bureau's records as complete. Nevertheless, in the last four years this is the *fourth time* the stream has reached flood conditions, only failing to flood last winter, 1968. So we can readily see that even if this years record rainfall was discounted there is still a *serious* problem existing in this area.

To my knowledge, there never has been any protection afforded this community other than what individuals have done privately in an attempt to reduce hazards to their own properties . . . unfortunately the scope of the problem is out of proportion to what can be accomplished by individuals either acting independently or in union. Even though the measures that private citizens have taken are not and never will be adequate to control the stream in extreme flood conditions, they have proven that there are minimal measurers that can be taken that have been very successful. In part, stone walls with sufficient footings, so as not to be undermind, and positioned to divert the flow rather than block it have proved to be very effective where they existed. Bridges rather than culverts have proved to be the only means satisfactory to carry sufficient amounts of flow under the roadways. The bridges must be of adequate span and must have protected approaches or the flow tends to divert and undermine. . . . An even better and simpler solution would be to pave directly across the stream bed so that any unusually heavy flow will merely flow over the pavement and not wash out the elevated roadways that are necessary for bridges. When the high water passes the pavement can be scraped off to original conditions. This would only be necessary in two locations to afford a much improved situation for the Village proper. Because of the steep gradient and the loose material available, the stream in flood stage carries tremendous amounts of rock, sand and gravel. . . . These are deposited in the stream bed as the channel shifts back and forth, the result being a completely unpredictable flow pattern. This surplus of debris in the stream bed makes it impossible to channel or direct the flow past the Village area. If a concrete channel were constructed to carry the water past the threatened areas, it would probably fill up with rocks in very short order and seek its own course thereafter. So it would seem that the most effective and least expensive plan to follow would be to reinforce all exposed roadways and residences with reinforced concrete and rock walls positioned so they would divert this flow away from and back into the main channel and let it have free reign in that area. Then as patterns developed, certain areas could be re-enforced further to handle the condition. The exposed areas that would benefit from this approach are not too extensive—¾ of a mile would probably afford an excellent margin of safety and this is certainly a drop in the bucket as most flood control projects go. . . .

It is my understanding that the Army Corps of Engineers did a survey for the county of San Bernardino the results of which has never been publicly released. Certainly there is sufficient justification here for a more extensive survey with a public disclosure as to their finding and recommendations. This would seem to be a minimal move by the responsible agencies and one that would give the people of this canyon some basis for renewed optimism and ability to plan for the future with some measure of success. It would be tragic if the lack of even minimal measures resulted in the destruction of a community.

Thank you for your attention,

E. O. RAMSTEAD.

LOS ANGELES, CALIF., *March 15, 1969.*

FLOOD CONTROL SUBCOMMITTEE,
House Public Works Committee,
House of Representatives, Washington, D.C.

GENTLEMEN: Possibly you have been advised of the relatively minor "disaster". It seems to be geologically interesting, and everybody is very sorry that we have lost our home—we and others—but I fear that the *personal* enormity of such an economic disaster gets lost in overall statistics and monies involving millions of dollars.

I am enclosing a couple of letters to the news media in which I have tried to express our despair and present our problem and the few steps we have taken to correct it for others who will be involved in the future.

We will appreciate any ameliorative action you might be able to take. To look forward, as I am having to. to never being able to regain a small amount of security, to live up to the extreme end of my earning capacity and have no reserve to call upon is very dismal, indeed.

Most sincerely,

BERNICE L. MADISON.

LOS ANGELES, CALIF., *March 12, 1969.*

Mrs. RUTH ASHTON TAYLOR,
KNXT News,
Los Angeles, Calif.

DEAR MRS. TAYLOR: In your interview today, you asked me if I felt bitter toward anyone because of the "natural disaster" which has befallen Rainbow Avenue (at least that was my interpretation of your question) and my answer was no. This is correct. I don't feel that any agency is directly responsible for our loss.

But I simply wasn't thinking fast enough and missed the opportunity to cry my overwhelming bitterness.

It galls me to realize that there are no provisions for the protection of the more prudent, and, in our small way, the steady, stable, productive part of the population. There are public and private resources to care for the indigent, for destruction, even for the free-loaders who do not contribute to the economy. And it is correct that there should be help. But there is nothing that will provide me with even a partial replacement for my loss—unless there may be some help through the purely private American National Red Cross. Burdens such as these should not fall upon the private sector. We should not be forced to beg.

I don't want to pass my loss along to somebody. I'm not bankrupt. I'm not unemployed. I'm not destitute. I can continue to be self-supporting, but I will have to work twice as many hours to do only that. We will have no home, nothing which we can freely pass to our son, and I am deprived not only of the physical things but also of the time which I expected to continue to spend with my family. I enjoy my work, but there is a big difference between the stress of 20 hours a week and 40 hours a week—at age 55, I'll feel it more than I did at 30. I don't like the face of the future.

This is where my bitterness lies. If you can ever say this for me, please do. It may help move the government toward some business-like replacement insurance for losses such as these.

Most sincerely,

(Mrs.) CLYDE MADISON.

LOS ANGELES, CALIF., *February 26, 1969.*

Mr. GRANT HOLCOMB.
KNXT News,
Los Angeles, Calif.

DEAR MR. HOLCOMB: We are writing to you as representatives of the Mt. Washington Association of which the Mt. Washington Rainbow Avenue Disaster Committee is a part. This committee was formed by the residents of the Rainbow Avenue landslide area whose homes hove been destroyed in the recent disaster.

We find ourselves in the position of seeking to use the communcation media without the knowledge of a proper approach. We need your help and advice.

The normal news media have given us considerable coverage. However, we seek coverage which is less sensational and more in depth in order to focus public attention upon this tragic dilemma.

It is the purpose of our organization to find avenues of relief and protection for those of us already damaged and for the many who are threatened. We have had wonderful cooperation and consideration from the City (especially through Councilmen Snyder's office) and from State officials. However, they are so hampered by legalities that there is little or nothing they are free to do which will give us either physical or financial help.

Astounding as it is, the City and County have no overall plan of action to which they can turn freely and without fear of suit, even upon request, in times of natural disaster. The implication of what this can mean to all property owners within the city and county should be apparent. There is public fire-fighting apparatus on call anytime, there is also private insurance available. But there is no provision for knowledgeable help or financial coverage for any kind of earth movement. We have been made aware of tax relief and low interest reconstruction loans. We have been given excellent police protection, and efforts have been made to find (unsuccessfully) low rent housing to tide us over this initial expense. Welcome as this is, most of us on Rainbow Avenue have had mortgage free homes for years. The staggering difference between $20 month for tax and upkeep and $100–$150/month for rent or payments on a reconstruction loan is insurmountable—especially for those on a fixed income.

We are without desperately needed legal aid and are completely without the means of obtaining a geology report—without which our present situation cannot be effectively altered. As you know, the City agencies can be concerned only with City property, which, in this case, is Rainbow Avenue.

We feel we have here a situation which merits a feature program because it is applicable to many, many other small and isolated disaster instances which are occuring all over Southern California. We are determined to expand our association to include these other areas so that we can become effective in producing pertinent State and Federal legislation. We hope to establish some central disaster fund so that the nation can effectively cope with these problems in such a way that the entire loss does not fall on either City, State, or individual. Our immediate need is someone in your position who is interested and willing to give us time and advice.

Rainbow Avenue is only one block long, made up of a colorful group of people who are full of the neighborly spirit of Old Los Angeles. We are not just "how do you do?" neighbors. We have been friends for many years, and as new people have moved into the block, they have found a nitch of friendship that has kept us as a unit. We have a wonderful mixture of age and temperament, interest and vocation. Having always acted as a unit, it is impossible for us to think of behaving any other way in the face of this tragedy.

Please contact us with any advice you can give as to how we can make ourselves and the objectives of our association understood and sustained before the public. We will be more than happy to cooperate in any way we can, and look forward to meeting with you.

Sincerely,

MOUNT WASHINGTON ASSOCIATION,
(By) MRS. CHARLES BALDWIN,
MRS. CLYDE MADISON,
Rainbow Avenue Disaster Committee.

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CALIFORNIA DISASTER RELIEF ACT OF 1969

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON ROADS

OF THE

COMMITTEE ON PUBLIC WORKS

UNITED STATES SENATE

NINETY-FIRST CONGRESS

FIRST SESSION

ON

S. 993

A BILL TO PROVIDE ASSISTANCE TO THE STATE OF CALIFORNIA FOR THE RECONSTRUCTION OF HIGHWAYS AND FOREST ROADS DAMAGED BY RECENT STORMS, FLOODS, LANDSLIDES, AND HIGH WATER

APRIL 1 AND 3, 1969

Serial No. 91–7

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CONTENTS

	Page
S. 993	2
Amendment	14
Agency views:	
Agriculture Department	8
Bureau of the Budget	9
Interior Department	12
Office of Emergency Preparedness	12

CHRONOLOGICAL LIST OF WITNESSES

Tuesday, April 1, 1969

Hon. George Murphy, a U.S. Senator from the State of California	18
James A. Moe, California director of public works	25
Charles Samson, California State Disaster Office	36
James G. Stearns, Resources Agency, Department of Conservation, State of California	46
A. P. Stokes, road commissioner, Ventura County; accompanied by John Conlan, supervisor, Ventura County	52, 55
Edwin P. Benedict, assistant chief deputy road commissioner, Los Angeles County	56
Raymond T. Seeley, chairman, Riverside County Board of Supervisors	74
Ruben S. Ayala, chairman, board of supervisors, San Bernardino County, Calif	83
Elston L. Kidwell, chairman, board of supervisors, and Robert H. Born, county engineer, San Luis Obispo County	95

Thursday, April 3, 1969

Fred J. Russell, Deputy Director, accompanied by Charles Kendall, General Counsel, and Gordon Gillis, congressional liaison	104
Jack Frost, Director, Emergency Loans, Farmers Home Administration; accompanied by Howard Campbell, Assistant General Counsel, Department of Agriculture	106
M. M. Nelson, Deputy Chief, Forest Service; accompanied by Sidney Weitzman, Director, Division of Flood Prevention and River Basin Programs (Surveys Division), Forest Service; and Reynolds Florance, Director, Division of Legislative Reporting and Liaison	108
Martin F. Maloney, Deputy Director for Engineering, Bureau of Public Roads, Federal Highway Administration; accompanied by Richard S. Salzman, Assistant Chief Counsel, Federal Highway Administration	116
Howard Rogerson, Deputy Associate Administrator, Financial Assistance; accompanied by Clarence Cowles, Director, Disaster Loans	120

ADDITIONAL DATA SUBMITTED FOR THE RECORD

Chronology of Governor's proclamation for storm damage from 1969 storms	27
Cranston, Hon. Alan , a U.S. Senator from the State of California, letter to Senator Randolph	103
Highways and forest roads storm damage in the county of Los Angeles, State of California, report	57
Memorandum—Damage to State park facilities—Storms of January–March 1969	48
Murphy, Hon. George, a U.S. Senator from the State of California, letter to President Nixon	23

ADDITIONAL DATA SUBMITTED FOR THE RECORD—Continued

	Page
Overall public-private damage estimates, report	36
Pettis, Hon. Jerry L., a U.S. Representative from the State of California, statement	81
Reagan, Hon. Ronald, Governor, State of California:	
Letters to—	
President Nixon	34
House Ways and Means Committee	34
Senator Russell	35
Bureau of the Budget	35
Report on flood damage, January 17–Mareh 5, 1969, Riverside County, Calif	76
Turner, Frank C., Director, Bureau of Public Roads, letter to Governor Reagan	117

CALIFORNIA DISASTER RELIEF ACT OF 1969

TUESDAY, APRIL 1, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., in room 4200, New Senate Office Building, Senator B. Everett Jordan (Chairman of the subcommittee) presiding.

Present: Senators Jordan (presiding) and Randolph.

Also present: Richard B. Royce, chief clerk and staff director; Barry Meyer, counsel; and Bailey Guard, assistant chief clerk (minority).

Senator JORDAN. The subcommittee will please come to order.

Good morning, ladies and gentlemen. Today we begin hearings on S. 993, the California disaster relief bill. This bill is designed to assist the people and the State of California to recover from the destruction which followed the very heavy rains of this winter.

We shall hear from a number of State and county officials who will give us a better understanding of the problems which have arisen as a result of the flooding which has occurred. We also shall hear from the Federal agencies which have responsibility for rendering assistance in times of emergency and will listen to their recommendations with regard to what should be done.

It is quite possible that the committee, in view of the impending flooding which may result from the thawing of the very heavy snows in the Northwest, Midwest, and Northeast, will want to consider expanding the scope of these hearings to discuss improving the Federal disaster assistance programs. That would eliminate the necessity for holding hearings on each disaster individually and avoid delaying relief until long after the disaster has occurred, as is the situation in this instance.

Before we hear our first witness I would like to include in the record a copy of S. 993 along with views from several agencies.

(The exhibits are as follows:)

91ST CONGRESS
1ST SESSION

S. 993

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 1969

Mr. MURPHY introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, landslides, and high waters during December 1968 and January and February 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works proj-

ects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount not exceeding $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for the fiscal year ending June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as

existed prior to the damage resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969 in California, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the storms, floods, landslides, and high waters but which, because of changed conditions resulting from the storms, floods, landslides, and high waters, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the storms, floods, landslides, and high waters, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the storms, floods, landslides, and high waters is less than $500 more than the con-

struction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (5) of section 5 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(5) For forest development roads and trails, $187,500,000 for the fiscal year ending June 30, 1970, of which not to exceed $17,500,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the State of California necessary because of the storms, floods, landslides, and high waters in such State during December 1968 and January and February 1969, and $170,000,000 for the fiscal year ending June 30, 1971."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any

area of California damaged by storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 5. In the administration of the disaster loan program under section 7 (b) (1) of the Small Business Act, as amended (15 U.S.C. 636 (b)), in the case of property loss or damage in the State of California resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 (A) cancel up to $2,500 of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years; and (2) may make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise

available from private sources, and may waive interest payments and defer principal payments on such loan for the first three years of the term of the loan.

SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), in the case of property loss or damage in the State of California resulting from storms, floods, landslides, and high waters during December 1968, and January and February 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, at the borrower's option on that part of any loan in excess of $500 (1) cancel up to $2,500 of the loan, or (2) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years without regard to whether the required financial assistance is otherwise available from private sources.

SEC. 7. This Act, other than the amendment made by section 3(c), shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "California Disaster Relief Act of 1969".

AGENCY VIEWS

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, March 24, 1969.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on Public Works,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your February 12, 1969 request for the Department of Agriculture's views on S. 993 "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides and high waters."

We note that Sections 3, 6 and 7 would affect the Department of Agriculture. Section 3 would modify present authorities and practices for reimbursement of timber sale contractors for costs of restoring roads in any stage of construction that were built in connection with timber sale contracts that were damaged or destroyed by recent California storms. Section 3 would also reduce to seven days the minimum period of advance notice required for timber sales from National forests whenever the Secretary determines the sale of such timber will assist in reconstruction of any damaged area of California. It would also authorize additional funds for National forest roads and trails. Section 6 would authorize the Farmers Home Administration to make Emergency loans in designated Emergency loan counties in California to established farmers and ranchers who have suffered uncompensated loss or damage resulting from recent storms, floods, landslides, and high waters, without regard to their ability to get credit from other sources, to repair or restore their damaged property and to continue their normal farming or ranching operations. Section 6 would also authorize in connection with such loans in excess of $500 (a) the cancellation of up to $2,500, or (b) the forgiveness of interest to the extent of not to exceed $2,500 over a period not to exceed three years. The amount of the cancellation or forgiveness would be determined by the amount of the applicant's damage above $500 and the amount of his loan. Section 7 provides that this legislation shall not be in effect after June 30, 1970 with certain exceptions.

Our comments on the specific sections of this bill directly affecting this Department are as follows:

"Section 3(a). The Forest Service Timber Sale Contract Forms (2400–5 and 2400–5T 7/65) were changed after the experience with the damaging storms during the winter of 1964–65. The relief afforded in the new contract forms should not be overridden by the provisions of this legislation. Even though the Forest Service has a new form that can meet the problem, there are some outstanding contracts on forms that were in use before the 1964–65 winter floods. These, of course, do not have the provisions developed after the experiences of 1964–65. We should point out that since existing contracts on the old contract form were entered into there have been substantial rises in prices of lumber and plywood. This raises a serious question as to whether this subsection is needed to give relief to those who have already been the beneficiaries of these price rises. However, if the Committee should look with favor on the purpose of this subsection, we suggest that the provisions should be along the lines of the new contract provisions. Briefly, under the new contract, where damage of the kind experienced or anticipated this spring results in additional work by the purchaser in restoring specified roads in any stage of construction authorized by the contract for the purchase of timber with an estimated cost: (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1.00 per thousand board feet to sales over three million board feet, the estimated cost of construction is revised to take into account the entire cost of performing the additional work. We believe such a provision would be desirable for the equal treatment of all purchasers of government timber.

"(b) Because of uncertainty in the provisions of some timber sale contracts in regard to the Secretary's cancellation authority, we have no objection to this provision.

(c) This subsection should be deleted. No additional authorization is required to perform the work required. In fact, 23 U.S.C. 125, as amended by P.L. 90–495 adequately covers any foreseeable requirements.

"(d) Our concern here is that the provision is not broad enough to cover the need to make quick emergency sales in areas outside of California and also in situations arising from other causes such as wind and ice storms when sales need to be made quickly both to get logs to mills whose supplies are cut off and to get logs out of the woods before insect infestations set in. The subsection should be broadened to cover these situations as well.

"Section 6. The Department does not recommend the enactment of this section. Emergency loans are made pursuant to Subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended, in areas where damage resulting from a natural disaster has created a general need among established farmers and ranchers for temporary agricultural credit which cannot be met by other sources including the other Farmers Home Administration loan programs. These emergency loans are made by the Farmers Home Administration out of the Emergency Credit Revolving Fund. The Revolving Fund was established to assure that a standby source of funds would be available when needed as the result of a natural disaster.

"Emergency loans are expected to be paid over the shortest period consistent with estimated ability. Generally, loans for annual operating expenses are payable from the year's income. However, when there will not be sufficient income to do this because of damage already caused by a natural disaster, the amount involved may be scheduled for payment over the shortest period consistent with estimated ability, but not beyond three years. Loans for real estate purpose are payable in annual installments over periods up to 20 years but where income will not be available to meet the initial installment, because of a natural disaster, that installment may be deferred until income is available but not beyond three years.

"If the proposed legislation is enacted, Emergency loans to applicants as described above would be made under the same policies and for the same purposes as loans are being made in designated counties in 37 other states except with regard to suspension of the "credit elsewhere" statutory eligibility requirement and the forgiveness authorization described above.

"The Department feels that Government funds should continue to be loaned only to applicants who are unable to obtain credit from other sources. We believe that the credit needs of California farmers and ranchers can be met under present policies. If this bill is enacted, it is estimated that the amount needed for California would be about twice the amount which would be required under present policies. Also, if the bill is enacted, provisions should be made for reimbursing the Revolving Fund for amounts cancelled or forgiven.

"Section 7. If other changes are made, this section will need to be modified accordingly."

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

J. PHIL CAMPBELL, *Under Secretary.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 3, 1969.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for Bureau of the Budget comments on S. 993, a bill "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, flood, landslides, and high waters." The bill is concerned with property loss and damage in California during December 1968 and January and February 1969.

Your Committee has asked interested agencies to comment on S. 993 and those agencies have made a number of recommendations with respect to specific provisions of the bill. We generally concur in those recommendations.

Section 2 would authorize appropriations of $15 million for fiscal year 1969 and $15 million for 1970 for the temporary and permanent repair and reconstruc-

tion of "highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law." The section does not specify the agency responsible for administration of these funds; nor does it specifically limit the use of the funds to repair and reconstruction of highway facilities damaged by the December 1968 and early 1969 floods.

Under existing law the Secretary of Transportation is authorized to pay up to 50 percent of the costs of repair or reconstruction of highways in the Federal-aid system, and 100 percent of such costs in the case of roads and trails in the national forests, national parks, public lands areas, and Indian reservations, when the damage results either from a natural disaster over a wide area or a catastrophic failure from any cause. In addition, P.L. 81–875 provides for emergency repairs and temporary replacements of public facilities, including highway facilities, of local governments which are damaged or destroyed in a major disaster. Under that law the Federal Government can pay the entire cost of temporary repairs or replacement of all non-Federal-aid public roads or, in the alternative, make a payment equal to such cost which the local community can apply to the cost of permanent repair.

The intent of the language in section 2—"highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provisions of law"—is not altogether clear. The section as written would not appear to have any substantive effect on existing law, since, as indicated above, highway facilities not on the Federal-aid systems are eligible for Federal assistance under P.L. 81–875. If, on the other hand, the intent of section 2 is to broaden the scope of existing law to authorize the appropriation of Federal funds to pay for the permanent repair and reconstruction of all non-Federal-aid highways, the section raises a major issue of far-reaching consequences. Its enactment would tend to set a precedent with respect to the Federal role on a national basis for permanent reconstruction of local public facilities, including highways. Such a broadening of the Federal role would substantially alter the allocation of financial responsibilities between the Federal Government and the States for coping with the damage caused to local public facilities by major natural disasters.

We do not see a need for such a reallocation of responsibilities and, therefore, do not recommend favorable consideration of section 2.

Section 3(a) would authorize Interior and Agriculture to reimburse purchasers of timber on Government lands for the costs of repairing or reconstructing access roads which they have built or have under construction, but have not been accepted by the Government at the time the roads were damaged. The timber purchaser would bear 15 percent of the costs of repair or reconstruction up to a maximum of $4,500, with the Government paying the remainder of the costs.

Agriculture points out in its report to the Committee on the bill that the Forest Service's timber sale contract forms were changed after the experience with the damaging storms during the winter of 1964–65 to take care of the situations similar to those covered by this section.

The Department believes that relief afforded in the new contract forms should not be overriden by the provisions of section 3(a). With respect to outstanding contracts on forms in use before 1964–65, Agriculture points out that since such contracts were entered into, there have been substantial rises in prices of lumber and plywood, raising a serious question as to whether section 3(a) is needed to give relief to those who have benefited by those price increases.

We concur in Agriculture's suggestion that if legislation along the lines of section 3(a) is to be enacted, it should conform to the revised contract forms as outlined in Agriculture's report.

Section 3(b) would enable Agriculture and Interior to allow cancellation of a timber sale contract when it is determined that restoration, reconstruction, or construction of a road or trail is not practical under the cost-sharing arrangement authorized by section 3(a). Agriculture, in its report to the Committee, expresses no objection to this provision because of uncertainty in the provisions of some timber sale contracts with respect to the Secretary's cancellation authority. Similarly, we have no objection to this section.

We have been advised by Interior that there was no damage in California to construction of timber sale roads in which the Bureau of Land Management has an interest during the period specified in sections 3 (a) and (b).

Section 3(c) would amend the Federal-Aid Highway Act of 1968 to increase by $17.5 million the appropriation authorization under that Act for construction and maintenance of forest development roads and trails in fiscal year 1970. We concur in Agriculture's recommendation that this provision be deleted, since no additional authorization is needed to perform the work required.

Section 3(d) would authorize Agriculture to reduce advance notice of timber sales from 30 to 7 days whenever necessary in order to assist in the reconstruction of damaged areas in California. We have no objections to this provision, but we wish to note that Agriculture in its report to the Committee suggests a broadening of this authority to cover emergency situations other than those contemplated in the bill.

Section 4 would authorize Interior to grant appropriate extensions of time to public land entrymen to comply with entry requirements. This section is unnecessary in light of general and permanent authority for such extensions contained in section 11 of Public Law 89–769, the Disaster Relief Act of 1966.

Section 5 would prescribe the manner in which the disaster loan program under the Small Business Act would be administered with respect to property loss or damage resulting from the California storms. At the borrower's option, on that part of any disaster loan in excess of $500, SBA would be required either to cancel up to $2,500 of the loan or to waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years. In addition, SBA could make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise available from private sources, and could waive interest payments on such loans for the first three years.

In its comments to the Committee on this section of the bill, SBA objects to these "forgiveness" provisions. With respect to cancellation of principal or waiver of interest on existing loans, SBA notes that such a procedure has been followed in only one previous case—Hurricane Betsy disaster—and in that instance the great majority of borrowers were persons living close to the poverty level. Such circumstances do not seem to be present in the California situation. SBA also objects to those provisions of section 5 which would require the agency to make direct loans "without regard to whether the required financial assistance is otherwise available from private sources" and with waiver of interest payments for up to three years. SBA's existing procedures allow it to focus its assistance on those most in need of Federal assistance. We concur in SBA's objections to section 5, and, therefore, recommend against its favorable consideration.

Section 6 would similarly prescribe the manner in which the emergency loan program under the Consolidated Farmers Home Administration Act of 1961 would be administered with respect to the California situation. At the borrower's option, on that part of any emergency loan in excess of $500, Agriculture would be required either to cancel up to $2,500 of the loan, or to waive interest due on the loan up to $2,500 over a period not to exceed three years without regard to whether the financial assistance is otherwise available from private sources.

In its report to the Committee on S. 993, Agriculture discussed its procedures in administering its emergency loan program. In providing loans for operating expenses, the Department requires repayment from annual income. However, when a borrower does not have sufficient income to repay the loan because of damage to his ranch or farm, payment may be deferred for up to three years. With respect to real estate, Agriculture can defer the initial payment on its 20-year loans up to three years until the borrower has sufficient income available to begin payments. On the basis of the existing emergency loan program, Agriculture is opposed to the provisions of Section 6. We agree with Agriculture's views and, accordingly recommend against favorable consideration of section 6.

Finally, we wish to bring to the Committee's attention the fact that on March 26, 1969, President Nixon requested supplemental appropriations from the Congress including $35 million for disaster relief to meet current and anticipated needs between now and the end of June, and $500,000 for the Department of the Interior to repair facilities damaged during the California floods.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., March 28, 1969.

Dear Mr. Chairman: This responds to your request for the views of this Department on S. 993, a bill "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters."

Insofar as the bill effects any programs of this Department, we find that the bill would have little, if any, effect. Accordingly, we defer to the views of other interested Federal agencies as to the need for, or desirability of, this legislation.

The bill is directed primarily to assist in providing emergency funds which are not made available under such existing Federal laws as the Federal disaster Act (Public Law 81–875), as amended (42 U.S.C. 1855). The bill would provide special relief to the State of California which has been devastated by recent storms, floods, and landslides. The proposed relief would, generally, consist of direct financial assistance in highway, road, and trail restoration and reconstruction, extension of time in which to comply with public land entry requirements, and cancellation or waiver of certain financial obligations under small busiess disaster and farm emergency loans. Appropriations in an amount not to exceed $30,000,000 would be authorized.

Sections 3 and 4 of the bill are relevant to operations of the Bureau of Land Management of this Department.

Section 3 provides that, notwithstanding provisions of existing contracts, the Secretary of the Interior, as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs incurred or to be incurrred in connection with these roads. A formula for sharing the costs is prescribed in the bill. The Secretary may allow cancellation of a contract where damages are so great that restoration is not practical. We are advised that there was no damage to construction of timber sale roads in which the Bureau of Land Management has an interest during the period specified in the bill.

Executive Office of the President,
Office of Emergency Preparedness,
Washington, D.C., March 26, 1969.

Hon. Jennings Randolph,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in reply to your request for comments on S. 993, 91st Congress, a bill entitled: "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters."

Most of the provisions of this bill do not significantly affect programs administered by the Office of Emergency Preparedness and we defer to the views of those agencies which are charged with the responsibility for carrying out those programs.

However, it appears that Section 2 of the bill is directly related to the Disaster Assistance Program administered by this Agency. Section 2 of the bill would authorize not to exceed $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for fiscal year ending June 30, 1970, for allocation to the State of California for "temporary and permanent" repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under existing provisions of Federal law.

Section 125 of Title 23 of the United States Code presently authorizes the Secretary of Transportation to repair or reconstruct highway facilities in the Federal-aid system which have been damaged or destroyed by a disaster covering a wide area. By contrast, roads not in the Federal-aid system which are damaged by a major disaster, as determined by the President, are presently eligible for temporary repair, but not permanent repair or reconstruction under the Federal Disaster Assistance Act (P.L. 81–875).

Section 2 of the proposed bill would authorize appropriations totalling $30,000,000 to the State of California for the *repair or reconstruction of highway*

facilities not in the Federal-aid system, and second, it would go beyond the provisions of the existing Disaster Act and *authorize permanent as distinguished from temporary repair* or reconstruction of those highway facilities. As we understand it, this would be the first time that such repairs or reconstruction would be paid for by Federal funds on a permanent, rather than a temporary basis. Under Public Law 81–875, the Federal Government can pay the entire cost of *temporary* repair or replacement of all non-federal aid public roads which have been damaged in any declared disaster area or, at the option of the local authority, will make an in-lieu payment equal to the cost of such temporary repair or replacement. Thus, *the local authority is able to apply the amount of the in-lieu payment against the actual cost of permanent* repair or permanent reconstruction.

From the standpoint of the Administration's program, the Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely,

G. A. LINCOLN, *Director.*

(Subsequent to the hearings the following amendment was introduced:)

91ST CONGRESS
1ST SESSION

S. 993

IN THE SENATE OF THE UNITED STATES

APRIL 15, 1969

Referred to the Committee on Public Works and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. MURPHY to S. 993, a bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters, viz: On page 5, beginning with line 12, strike out all through line 17 on page 6, and insert in lieu thereof the following:

SEC. 5. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)(1)), in the case of property loss or damage sustained by any person in the State of California as a result of the storms, floods, landslides, and high waters occurring subsequent to November 30, 1968, and prior to June 1, 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by

insurance or otherwise and upon a determination by the Administration that the failure of such person to obtain insurance to cover such loss or damage resulted from the unavailability of such insurance on reasonable terms and conditions—

(1) may make direct loans to such person without regard to whether (A) the required financial assistance is otherwise available from private sources, or (B) such person has personal or business assets which could be used to alleviate the loss or damage sustained: *Provided*, That, except in the case of a loan to a low-income individual (determined in accordance with such standards and criteria as the Administration shall by regulation prescribe), the interest rate on any such loan shall be the average annual interest rate on all interest-bearing obligations of the United States having maturities of twenty years or more then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum; and

(2) shall, in the case of a loan to a low-income individual, on that part of the loan in excess of $500 and at the borrower's option, (A) cancel up to $2,500 of the principal obligation of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period of not to exceed three years.

SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage sustained by any person in the State of California as a result of the storms, floods, landslides, and high waters occurring subsequent to November 30, 1968, and prior to June 1, 1969, the Secretary of Agriculture, to the extent such loss or damage is not compensated for by insurance or otherwise and upon a determination by the Secretary that the failure of such person to obtain insurance to cover such loss or damage resulted from the unavailability of such insurance on reasonable terms and conditions—

(1) may make loans to such person without regard to whether the required financial assistance is otherwise available from private sources: *Provided*, That, except in the case of a loan to a low-income individual (determined in accordance with such standards and criteria as the Secretary shall by regulation prescribe), the interest rate on any such loan shall be the average annual interest rate on all interest-bearing obligations of the United States having maturities of twenty years or more then forming a part of the public debt as computed at the end of the fiscal year next preceding the

date of the loan and adjusted to the nearest one-eighth of 1 per centum; and

(2) shall, in the case of a loan to a low-income individual, on that part of the loan in excess of $500 and at the borrower's option, (A) cancel up to $2,500 of the principal obligation of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period of not to exceed three years.

Senator JORDAN. Our first witness this morning is the sponsor of S. 993, the distinguished senior Senator from California and a former member of this committee, Senator George Murphy.

Senator, it is a pleasure to welcome you and we look forward to your presentation. We are delighted to have you with us this morning, Senator, and will be glad to hear from you at this time, sir.

STATEMENT OF HON. GEORGE MURPHY, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator MURPHY. Thank you very much, sir.

Needless to say, I am delighted to have the opportunity to appear before this distinguished committee, on which I had the pleasure of serving for 4 years. As a member I came to know my colleagues as being objective and farsighted in evaluating the need for new programs, and I am certain at the conclusion of these hearings, when the dimension of this disaster and the personal tragedies that have accompanied it are made known, you will give early and favorable consideration to S. 993. The people of California will be particularly grateful.

Mr. Chairman, I have taken the liberty this morning to bring three experts from the State of California: Mr. James Moe, director of public works for the State; Mr. Charles P. Samson, director of the California State disaster office; and Mr. James G. Stearns, director of conservation, all of whom have much wider experience and more expert knowledge than I have of the matter at hand.

Mr. Chairman, this disaster is one of the worst disasters ever to hit my State. The destruction literally exceeds any figment of the imagination.

Homeowners, unable to obtain insurance, who invested in property and a home for their families, have lost a lifetime of work and savings.

Farmers and growers have not only seen the destruction of their property, but have come to realize in many instances that their land will be uncultivable for years—washing away livelihoods and dreams of the future.

Heavily traveled roads, streets, trails, and highways in many cases exist only on maps today.

Dams have been breached.

Water, electrical, and sewer systems have been ruined.

And, worst of all, lives have been swept away in the downpours' aftermath.

While the State, county, and local governments, and individuals are receiving emergency aid through legislation which this committee has recommended and approved previously, the cost of reconstruction, as the devastation worsens, is making restoration impossible without further Federal assistance.

As you will note, sections 1 through 3 of S. 993, provide for the repair and rebuilding of highways, streets, roads and timber trails, and other privately and publicly owned facilities which have been so extensively damaged. Section 4 allows those acquiring title to public lands additional time to fulfill requirements if they were delayed in doing so by the storms. Sections 5 and 6 insure that existing Federal loan programs are structured so as to be of assistance to anyone who suffers

damage to his property and allows very low-income persons additional repayments benefits.

Damage to public facilities are estimated now by the State to total $165 million. To privately owned property, they are cited as $100 million. It must be noted, however, that some loss incurred by individuals will never be reported and some of it simply cannot be estimated yet. For example, the extent of the loss of land for farming purposes—in terms of the number of people who will be indirectly affected, such as the consumer who will be forced to pay higher prices and the hungry who will have even less food—cannot be accurately appraised.

Although the damage from the disasters was great, there is a great deal of evidence to suggest that past actions taken by this committee and the Congress have not only prevented additional disasters but have helped to minimize the damage resulting when disaster strikes. When I testified on February 13 before the House Public Works Committee in Los Angeles, I cited statistics given in a floor speech by the distinguished chairman of this committee, Senator Randolph, that "flood control structures authorized by Congress and built by the Corps of Engineers prevented an excess of $1¼ billion in damages to urban and surburban areas over the State of California." So, such programs of your committee are surely a wise investment by the American people. S. 993 in most respects, however, does not deal with the preventative aspect of the problem. It is a curative measure aimed at the current devastation and that which might occur in the near future if we are confronted with a rapid runoff from the snows which are accumulating at record levels.

Mr. Chairman, permit me to explain briefly the six major sections of this bill, along with some modifications I am recommending today.

This bill declares the existence of a disaster and the need for assistance in California due to the storms, floods, landslides, and high waters throughout the State during December 1968 and January and February of this year.

Last December, a relatively small area of northern California suffered severe damage from the excessively heavy snows around Christmastime. A far greater area of southern and central California was literally inundated by rainfall in January and February. The problem, however, has not subsided, and many areas of the State are faced now with the potentially heavy runoffs I have mentioned.

Therefore, I believe that the language should be broadened so as to include the destruction which came about last month, as well as that which may occur during April, May, and June of this year.

Section 2 authorizes an expenditure of $15 million in both fiscal years 1969 and 1970 for the temporary and permanent repair of roads, streets, and highways not in the Federal aid system. The administration strenuously objected to this provision 2 weeks ago in hearings before the House Public Works Committee on a companion bill authorized by California Congressmen. Of course, I assume that voices will be raised against it again by administration witnesses before this committee on Thursday because it does provide for a departure from existing practices.

Under present law, specifically 123 U.S.C., section 125, the Federal Government can provide for the temporary repair and permanent

reconstruction of roads, streets, and highways in the Federal aid system. Under Public Law 81–875, funds may be authorized for the temporary repair of streets, roads, and highways out of the Federal aid system. No existing statute, however, offers assistance in permanently rebuilding non-Federal aid roads. Yet, a tremendous need exists in California today. The total damage to roads has been conservatively estimated at $79 million. Of this only $39 million relates to Federal aid highways. The other $40 million in destruction has not been on the Federal aid system.

As I have said, Public Law 81–875 can be used to assist in the temporary repair of these roads. More than temporary repairs must be performed, however, and the State and counties are not financially able to do this type of extensive rebuilding. Furthermore, only $8 million have been allocated by the President under this law for all current disaster repairs in California—including those to roads.

Frankly, $30 million is not enough, but the State is attempting to do its share. Recently, the California State senate passed a temporary 1-cent-per-gallon increase in the gasoline tax, which could add $7 million a month over a 6-month period, with a total limitation of $30 million to this reconstruction effort. Consequently, I have not requested more than $15 million a year for each of the next 2 fiscal years even though future destruction well may increase the damage estimates again. Yet it should be remembered that this gasoline tax increase has not passed the assembly and has not been signed into law by the Governor. In fact, it very well may not become law.

Section 3 authorizes the Secretaries of Agriculture and Interior to partially reimburse timber sale contractors for, or bear the cost themselves of, additional expenditures necessitated by the floods for restoring to their previous condition roads which, prior to the floods, were under construction and were authorized by a contract for the purchase of timber. No existing statute provides funds for the restoration of these roads which are not a part of the National Forest Road System.

If the damage was so great as to make reconstruction of the roads to their prior state unworthwhile, section 3(b) would permit the cancellation of the contract.

Section 3(c) authorizes the expenditure of an additional $17.5 million during fiscal year 1970 under the Federal Aid Highway Act of 1968 for the reconstruction and repair of forest development roads and trails damaged or destroyed by the floods. The total authorization for the fiscal year will then be $187.5 million. For fiscal year 1971 the authorization will revert to the $170 million originally authorized by the act.

Testimony before the House Committee on Public Works indicated that the damage to timber roads and trails far exceeds the $17.5 million I am requesting, and I hope that this committee will carefully review the entire need and the importance of these trails to the timber industry and our economy before subscribing to the small amount I have placed in the bill.

I strongly believe that this additional authorization will demonstrate this Congress' recognition of the importance of forest road and trail

projects. The fact that the authorization is being made in the California Disaster Relief Act of 1969 hopefully will keep other necessary funds finally appropriated for forest roads and trails from being diverted to the repair of the roads damaged by this disaster, and at the same time, will specifically designate a certain amount for this purpose. I feel that this is particularly important in light of the fiscal 1970 budget which recommends only $99.5 million of the $170 million authorized for forest roads and trails. This, I believe, is no more than a prudent and necessary investment in our Nation's national resources.

Section 3(d) of my bill will allow the Secretary of Agriculture to reduce from 30 days to 7 days the minimum period of public notice which must be given on timber sales from national forests if such will expedite the reconstruction of flood damaged areas.

While the provisions of S. 993 dealing with damage to timber roads and trails would have been needed in any event, the spiraling cost of lumber makes it even more imperative that we increase the output of lumber from our national forests. To do this, we not only need to repair the forest roads damaged in California by the floods, but probably also build additional forest access roads elsewhere. President Nixon recently announced steps that the administration was taking to make more lumber available from our Federal land. So the provisions of my bill dealing with the forest roads are not only of vital importance to the individuals residing in, and the economy of, the involved areas of my State but, because of the lumber crisis, to the national interest.

Section 4 of this bill recognizes that persons affected by floods of this intensity cannot always meet development schedules as planned. In making adequate allowance for this, S. 993 permits the Secretary of the Interior to grant any entryman additional time if he has filed, but has failed to complete the requirements for entry under various public land laws within the prescribed time.

Mr. Chairman, section 5 of S. 993, as modified, alters the interest rate on loans granted under section 7(b)(1) of the Small Business Act. Presently, disaster loans are repayable at a 3-percent rate of interest; however, this provision was enacted in the 1930's when the cost of money to the Government was 1½ to 1¾ percent. So, in no respect were these loans then providing free money to the recipients; however, the rate of interest has not been adjusted since. I believe that it should be with respect to those who can—and will—be able to afford to pay the rate of interest paid by the Government on the money it borrows to make the loans. Therefore, this bill provides that California disaster loans shall be made at the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more. At the present time, this is 5½ to 5¾ percent—an amount substantially lower still than that at which funds could be obtained by individuals through private lending institutions or sources. You will note, nevertheless, that an exception exists for low-income persons as defined by the Administrator of the Small Business Administration, who might not be able to afford the higher interest payments.

Second, section 5, as originally drafted, contained a forgiveness feature. In essence, this stated that a recipient of an SBA loan, under section 7(b)(1), after payment of the first $500, could have either a principal cancellation of $2,500 or a waiver of interest up to the same amount over a period not to exceed 3 years.

Before the House Public Works Committee, which was considering a companion bill, Mr. Clarence Cowles, Director of the Office of Disaster Loans, testified that a concession of this nature has been made only once. That instance evolved as a result of Public Law 89–339, passed after Hurricane Betsy, and, for all practical purposes, the beneficiaries were the very low-income residents of the ninth ward of New Orleans. All California disaster victims who might be faced with loss are not in a similar position to that of those in Louisiana and, therefore, I have restricted the application of this reduction in principal and interest repayments to those whose income and/or assets meet a criteria to be established by the Small Business Administration.

While I believe that we should make assurances against granting "free money" to anyone, either in the form of a forgiveness clause or an interest rate lower than the cost of money to the Government, I firmly believe that any homeowner or business firm financially hurt by an act of God disaster should be eligible for assistance at no cost to other taxpayers. As this is not the case today, I am recommending that loans at the cost of a long-term loan to the Government be granted irrespective of whether the person hurt is able to obtain a loan from a private source or lending institution and irrespective of his personal assets or income. Under the SBA regulation and guidelines today, very few people stricken by a personal tragedy of this nature can qualify. In fact, the applicant must virtually file as a pauper. As of March 27, 1969, the SBA regional offices throughout the State received 4,456 inquiries regarding home and business loans, yet only 565 applications were accepted for processing and 217 applicants were declared eligible for loans totaling $1,146,460.

I am sure the committee will recognize the necessity for legislative change in this area.

Section 6 of this bill, as modified, will also provide forgiveness of a certain amount of the principal or interest to low-income persons who obtain loans under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended.

Furthermore, it would allow only those qualifying as low-income persons, under regulations established by the FHA, pay the 3-percent interest rate on disaster loans, while all others pay the rate of interest at which the Government borrows the money.

It would permit persons to be eligible for loans at the higher rate, however, irrespective of whether assistance is available through private sources.

Mr. Chairman, to reiterate: Forty of California's 58 counties have been declared disaster areas by the State, while the Federal Government has named 37.

Damage to physical property has been estimated at more than $265 million to this day.

Lives have been lost, lifetimes of work and savings for the future have been washed away and dreams have been dashed through no fault of the individuals affected. Indirect harm, as I have said, will come to many others if we do not make provisions now for the restoration of property and roads which are vital to industries servicing the people.

While not a part of this particular bill, I do want to call to the committee's attention an important study and urge the committee to do everything possible to help accelerate its completion. Members will recall that as part of the Omnibus Rivers and Harbors bill of 1966 an amendment authored by me authorized a study of landslides, soil erosion, surface and subsurface drainage conditions, flood control, and seismic disturbances. The amendment directs the Corps of Engineers to work in cooperation with the U.S. Geological Survey of the Interior Department in conducting this study. The recent natural disaster again points out the urgency of the landslide problem and the need to complete the study.

I have been advised that the completion date of this study can be advanced a full year if an additional $25,000 above the budgeted $25,000 for this study is provided. I have written to President Nixon urging that this additional small amount to accelerate this important job be provided.

I would ask that a copy of my letter to the President be inserted at this point in the record.

Senator JORDAN. It is so ordered.

(The document furnished follows:)

FROM THE OFFICE OF SENATOR GEORGE MURPHY (REPUBLICAN, CALIFORNIA), SENATE OFFICE BUILDING, WASHINGTON, D.C.

WASHINGTON.—Senator George Murphy (R. Calif.) today asked President Nixon to provide $25,000 to accelerate studies of landslides in Pacific Palisades and other Los Angeles county areas.

The text of a letter from Senator Murphy to President Nixon follows:

"DEAR MR. PRESIDENT: I had an amendment incorporated into the Rivers and Harbors Act of 1966 (Public Law 89–789), which authorizes a study of landslides, soil erosion, surface and subsurface drainage conditions, flood control, and sesismic disturbances in the Pacific Palisades area of Los Angeles. The amendment directs the Corps of Engineers to work in cooperation with the United States Geological Survey of the Interior Department in conducting this study.

"The recent diasters in California underscore both the importance of the study and the need to accelerate its completion. In the budget submitted for fiscal year 1970, $25,000 was included to continue this study, leaving a balance of $81,000 to be apportioned in fiscal years 1971 and 1972. At this level of funding, the survey will not be completed until the late summer of 1972. I am advised that with additional funds, it is feasible to complete the study a full year earlier, thus advancing the completion date to the summer of 1971. To do this would require an *additional* $25,000 in the fiscal year 1970 budget. I would therefore strongly urge that this relatively small additional amount be provided so that this important job can be expedited.

"In a February 24th editorial, the *Los Angeles Times*, after pointing out the heavy damage resulting from the 'landslide and mud peril,' emphasized the need for federal reinsurance observing that 'insurance industry officials admit there is little chance of flood and slide coverage being offered under present conditions. They contend that federal reinsurance is necessary to protect assigned carriers in case of major disaster. The Times believes some form of insurance protection must be worked out for the vulnerable homeowner.' I agree.

"Last year, as part of the Housing and Urban Development Act of 1968, the Congress enacted a flood insurance program. A great deal of professional study and groundwork preceded its enactment, and it would appear that it will be some time before the flood insurance program will actually be in operation. The landslide study, authorized by my amendment, is just such a professional background study in the landslide area. Experts tell me that the study is an important step if we are to develop a federal insurance program for landslides.

"The reasons are simple. A basis for determination of insurance rates must be provided before any insurance can be offered. This involves the probability of occurrence of a given type of natural catastrophe, the frequency of various intensities of occurrences of catastrophes and their relationship to the degree of damage to different types of structures. For example, in flood insurance, data are needed on the frequency of floods of given height, and for earthquake insurance, data are required on the frequency of earthquakes of given intensities. To a large degree, the potential hazard from mud flows to urban communities can be determined and the probability of their occurrence estimated. Geologic surveys are needed to map probable sources of mud flows and the structures that would be damaged or destroyed. The Corps of Engineers has requested the Geological Survey to update landslide maps of the Pacific Palisades region, and it is expected that these maps will be available some time next year.

"When combined with climatological information on rainstorm magnitudes and frequencies, the potential mud flow hazard for the surveyed areas can be determined. Thus, the information obtained from these investigations, such as my amendment has authorized the Corps of Engineers to make, not only as vital to insurance considerations, but also would be valuable in the engineering design of mud flow preventative measures and in the planning of future urban development.

"It is imperative that we move ahead quickly in this area so that we might hopefully prevent a repetition of the tragic disaster which Californians recently experienced. I would therefore be most appreciative if you would assist in any way you can by providing the $25,000 which will advance by one full year the target date for completion of this study.

"With best wishes, I am,

"Sincerely,

"GEORGE MURPHY."

Senator MURPHY. Thank you, Mr. Chairman.

I am assured that this subcommittee will be made well aware by the witnesses who will testify of the totality and the extensiveness of the troubles which have come to exist and will try, to the best of its ability, to rectify them.

As I have said, along with me are three gentlemen who are at the table with me, you will be hearing from Mr. Ruben S. Ayala, Mr. A. P. Stokes, Mr. Raymond T. Seeley, and Mr. Elston Kidwell.

I thank you.

Mr. Chairman, of course, we will be glad to answer any questions that you may have or, possibly, Mr. Moe could make his statement, with the chairman's permission.

Senator JORDAN. Yes. We will be pleased to hear from Mr. Moe or from anyone else you have with you.

I might add, also, at this juncture, that Congressman Pettis was here in support of this bill. He had another hearing of his own so he had to leave.

I am also informed that Senator Cranston has planned to be here.

Senator MURPHY. Yes. Unfortunately, the Senator had a death in his family and had to return to California.

Senator JORDAN. I know he had planned to be here.
We would be glad to hear from Mr. Moe.

STATEMENT OF JAMES A. MOE, CALIFORNIA DIRECTOR OF PUBLIC WORKS

Mr. MOE. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I am James A. Moe, director of public works of the State of California.

It is my purpose to present an updated report on the estimated storm damage to State highways, city streets, and county roads in California.

On February 11, 1969, a special report on flood damage on California's highways was presented in Sacramento, Calif., before a joint session of the Subcommittee of Rivers and Harbors and the Subcommittee on Flood Control of the Committee on Public Works, House of Representatives.

On March 21, 1969, a further report was presented in Washington, D.C., before the Subcommittee on Flood Control of the House of Representatives Committee on Public Works.

Continuing storms between the dates of the two reports required upward revision of the estimated amounts of damage. Since March 21, 1969, later damage reports have indicated increased costs in the amount of $1,600,00 for city streets and county roads, but the State highway damage estimate is unchanged.

In the report of March 21, 1969, to the House Subcommittee on Flood Control, the Federal reimbursement under title 23 was estimated on the basis of normal Federal aid systems pro rata reimbursement.

Subsequently, California received approval of 100-percent Federal reimbursement on those portions of the damage repair program eligible under section 125 of the Federal Aid Highway Act. Approval of such an increased reimbursement had been requested by the State under revised provisions in the 1968 Federal Aid Highway Act where the Secretary of Transportation may find an increased Federal share to be in the public interest.

The current estimates of damage are some $28,600,000 for State highways and $50,800,000 for city streets and county roads or a total of some $79,400,000. These estimates are shown in the attachments, including a breakdown as to the State and local jurisdictions of the highways, the amount of damage on the various Federal highway systems and the amounts off Federal systems. It will be noted that although 100-percent reimbursement for eligible portions of the work has been approved for damage on Federal systems, the tabulations utilize less than the 100-percent factor because some portions of the restoration will most likely be found ineligible for Federal reimbursement.

This disaster developed from continuous and unusually severe winter storms in California, especially since January 17, 1969, which

caused widespread major damage to the highway system on State, county, and city routes. The attachment to this report, showing damage for each county in the State, illustrates how widespread the damage has been.

As soon as it became apparent that storm damage would reach disaster proportions, immediate action was taken at the State level to bring into play those Federal support programs which are available under these circumstances. The chronology of such actions is listed in an attachment to this summary report.

The storms continued, one after another, throughout the last part of January and the month of February, often hitting the areas first devastated two and three times again. Coupled with heavy rain were sustained snowstorms over the Siskiyous, Sierras, the southern mountain ranges, and the eastern slopes of the Sierras. Unprecedented snowfall occurred on the eastern slopes and near-record snowfalls were recorded elsewhere in the Sierra mountains.

In the attachments to our report are photographs of some of the heavy snow areas.

Damage survey teams were dispatched to the locations of storm damage to make on-the-spot estimates of cost of restoration of State highways. Due to recurring storms, damage surveys had to be repeated in several areas. These teams were composed of representatives from our division of highways headquarters, the Federal Bureau of Public Roads and local highway district personnel. Similar teams were dispatched, and some are still in the field, surveying the damage to city streets and county roads. These teams were similarly composed, including added local government representation.

Based on current estimates, support programs to finance emergency openings and restoration of highways are estimated to provide for approximately $47 million of the $79,400,000 estimated damage cost, leaving $32,400,000 of costs to be funded by other means.

The estimated damage is exclusive of snow removal costs and exclusive of future damage if we experience a fast snow melt. It is also exclusive of any costs to upgrade damaged roads beyond their condition prior to the floods.

Detailed estimates of funding for damages to the three classes of roadways are included in the attachment. In California about 80 percent of State highways are on a Federal-aid system of one kind or another, but only 20 percent of the city street and county road network are on Federal-aid systems.

As mentioned previously, snowfall in the Sierras has been unusually high. Snow surveys indicate the water content of the snowpack is between 150 percent of normal in the northern areas to 450 percent of normal in the southern San Joaquin watershed. Best predictions, assuming normal weather during the spring melt, indicate a sustained heavy streamflow from April through July, in which case additional damage to highways could well occur. The extent depends entirely on weather conditions during the critical months. The snow melt runoff in the northern Sierras is not expected to cause significant damage. Neither is the runoff on the southern slopes of the southern mountain ranges.

(The attachments referred to follow:)

CHRONOLOGY OF GOVERNOR'S PROCLAMATIONS FOR STORM DAMAGE FROM 1969 STORMS

ER Proclamations

January 30, 1969—Proclamation of emergency covering all counties in the state except the counties of San Diego, Imperial, Modoc, Lassen, Nevada, Placer and El Dorado.

March 12, 1969—Amended emergency proclamation adding San Diego County.

Public Law 875 Proclamations

January 23, 1969—Declared disaster area in San Luis Obispo and Los Angeles Counties.

January 25, 1969—Declared disaster area in the counties of Fresno, Inyo, Riverside, San Bernardino, Santa Barbara, Tulare and Ventura.

January 28, 1969—Declared disaster area in the counties of Amador, El Dorado, Kern, Kings, Madera, Modoc, Mono, Monterey, Orange, Placer, Sacramento, San Joaquin, Shasta, Solano, Stanislaus and Tuolumne.

January 29, 1969—Declared disaster area in Mariposa and Merced Counties.

February 8, 1969—Declared disaster area in San Benito, Sierra and Calaveras Counties.

February 10, 1969—Declared disaster area in counties of Contra Costa, Humboldt, Mendocino and Sonoma.

February 16, 1969—Declared disaster area in Plumas, Tehama and Yuba Counties.

March 12, 1969—Declared disaster area in the counties of Butte, Marin and Yolo.

The Governor's Proclamations of emergency now cover all but six of the 58 counties.

The Governor's Disaster Proclamations now cover 40 of the 58 counties.

CALIFORNIA HIGHWAY STORM DAMAGE

State highways	Primary and secondary Federal routes	Forest highways	Off Federal system	Total
North	$7,365,000	$1,721,000	$299,000	[1] $9,385,000
South	14,022,000	4,715,000	484,000	[2] 19,221,000
Total	21,387,000	6,436,000	783,000	28,606,000

	ER at 85 percent	ERFO at 85 percent	Public Law 875 at 20 percent	Total
Estimated Federal reimbursement	$18,179,000	$5,500,000	$158,000	$23,837,000
Estimated State funds required	3,208,000	936,000	625,000	4,769,000

Non-State highways	Secondary Federal routes	Forest highways	Off Federal system	Total
County	$10,380,000	$200,000	$29,970,000	$40,550,000
City	250,000		10,000,000	10,250,000
Total	10,630,000	200,000	39,970,000	50,800,000

	ER at 85 percent	ERFO at 85 percent	Public Law 875 at 35 percent	Total
Estimated Federal reimbursement	$9,036,000	$170,000	$13,990,000	$23,196,000
Estimated local funds	1,594,000	30,000	25,980,000	27,604,000

STATEWIDE SUMMARY OF STORM DAMAGE

		Non-State highways		
	State highways	City street	County road	Total
Total damage	$28,606,000	$10,250,000	$40,550,000	$79,406,000
Estimated ER reimbursement	18,179,000	213,000	8,823,000	27,215,000
Estimated ERFO reimbursement	5,500,000		170,000	5,670,000
Estimated Public Law 875 reimbursement	158,000	3,509,000	10,490,000	14,148,000
State highway funds	4,769,000			4,769,000
State and local funds		6,537,000	21,067,000	27,604,000

ESTIMATED DAMAGE TO STATE AND LOCAL ROADS FOR STORMS OF JANUARY AND FEBRUARY 1969

[In thousands of dollars]

Counties	State highways, Federal-aid system	State highways, forest highways	State highways, non-Federal aid	Total, State highways	County roads	City streets	Grand total
District I:							
Del Norte	90			90	140		
Humboldt	1,235	711	33	1,979	775		
Lake			25	25	300		
Mendocino	677		111	788	466		
Siskiyou		189		189			
Trinity							
Total	2,002	900	169	3,071	1,681	5	4,757
District II:							
Butte							
Lassen					20		
Modoc					10		
Plumas		297		297	5		
Shasta	298			298	275		
Sierra							
Siskiyou							
Tehama					160		
Trinity							
Total	298	297		595	470	2	1,067
District III:							
Butte	535			535	90		
Colusa							
El Dorado							
Glenn							
Nevada	9			9	25		
Placer					300		
Sacramento					160		
Sierra					32		
Solano							
Sutter							
Yolo	138			138	20		
Yuba					230		
Total	682			682	857		1,539
District IV:							
Alameda	40			40	20		
Contra Costa	848			848	1,136		
Marin	36			36	440		
Napa	22			22	5		
San Francisco	18			18			
San Mateo	1,129			1,129	55		
Santa Clara	125			125	200		
Santa Cruz	713		6	719	+ 2,500		
Sonoma	236		105	341	600		
Total	3,167		111	3,278	4,956	338	8,572
District V, north:							
Monterey	264		4	268	650		
San Benito					250		
Total	264		4	268	910	57	1,235
District VI, north:							
Fresno	513	60	10	583	2,150		
Kings	10			10	450		
Madera	20			20	500		
Mariposa							
Total	543	60	10	613	31,000	200	3,913

ESTIMATED DAMAGE TO STATE AND LOCAL ROADS FOR STORMS OF JANUARY AND FEBRUARY 1969—Continued

[In thousands of dollars]

Counties	State highways, Federal-aid system	State highways, forest highways	State highways, non-Federal aid	Total, State highways	County roads	City streets	Grand total
District X:							
Alpine							
Amador							
Calaveras							
Mariposa	14			14	25		
Merced	205			205	125		
NAPA							
Sacramento	25			25			
San Joaquin					61		
Solano	105			105	10		
Stanislaus	6			6	300		
Tuolumne	54	464	5	523			
Total	409	464	5	878	521	10	1,409
Total districts, north	7,365	1,721	299	9,385	12,495	612	22,492
District V, south:							
San Luis Obispo	1,110	108	177	1,395	1,800		
Santa Barbara	613	226		839	2,200		
Ventura							
Total	1,723	334	177	2,234	4,000	305	6,539
District VI, south:							
Kern	22	2		24	1,000		
Tulare	246		17	263	1,400		
Total	268	2	17	287	2,400	175	2,862
District VII:							
Los Angeles	3,651	1,951	47	5,649	11,000		
Orange	767		23	790	500		
Ventura	1,643	736		2,379	2,880		
Total	6,061	2,687	70	8,818	14,380	6,862	30,060
District VIII:							
Riverside	1,998		123	2,121	1,200		
San Bernardino	2,512	1,682	35	4,229	5,500		
Total	4,510	1,682	158	6,350	6,700	2,213	15,263
District IX:							
Inyo	408		13	421	250		
Kern	83			83			
Mono	3			3	100		
San Bernardino							
Total	494		13	507	350		857
District XI:							
Imperial							
Riverside	434		49	483			
San Diego	532	10		542	225		
Total	966	10	49	1,025	225	83	1,333
Total districts, south	14,022	4,715	484	19,221	28,055	9,638	56,914
Grand totals	21,387	6,436	783	28,606	40,550	10,250	69,406

Flooded area south of Corcoran. Typical of the floor of the San Joaquin Valley.

Mr. Moe. Mr. Chairman, we certainly agree with the principle of S. 993 relating to Federal aid for the restoration of roads and streets not on the Federal-aid system. We believe that it is right and that it is just. Floods are not selective in the roads they damage or destroy. When they hit streets and small communities, those communities encounter great hardships. For example, in the small community of Glendora, near Los Angeles, street damage is approximately $1½ million. Only $350,000 in Public Law 875 aid is eligible. Paying the balance of the sum would be exceedingly difficult for Glendora. Additional Federal aid for roads off the Federal-aid system is needed to supplement the Public Law 875 program.

Other examples will undoubtedly be included in the testimony of the representatives of Ventura and San Bernardino Counties.

We urge the enactment of this proposal. Further, we urge the continuation of appropriations of funds to the Public Law 875 program in amount sufficient to cover eligible applications.

A major washout and a slide on Route 33
in the Matilija Creek Canyon about 18 miles north of Ventura
combined to cause this damage.

A road washout and slide on Route 33 in the Matilija Canyon
about 20 miles north of Ventura.

Flooded section of highway near mouth of the Santa Ynez River showing pavement ripped up by flood waters.

Snow removal operations on Interstate 80 in the Sierra.

Typical of excessive snowpack in the Sierra.

Mr. Moe. We appreciate the opportunity to appear before you this morning.

Senator Jordan. Thank you very much, Mr. Moe.

In the San Joaquin Valley, did it reach as far up as the Bakersfield area which is the great cotton-growing area of California?

Mr. Moe. Very much so, including further north into the State.

Senator Jordan. I can understand the scope of this damage because I am somewhat familiar with that area. You have had a real disaster of major proportions in your State.

Senator Murphy. Mr. Chairman, I have lived for 20 years in the center of Beverly Hills. Back of the Beverly Hills Hotel, there is an old reservoir that nobody has paid any attention to for years. However, this recent rain was so great that when I returned home one weekend, I was called by the chief of police and told I would have to vacate my house. All the houses, clear down to Alpine Drive on Sunset Boulevard, were in danger because this old reservoir that, as I say, had just been ignored for years, was overflowing and cracks were appearing on the upper edge. This was the last thing in the world that anybody would ever think could happen right in the city of Beverly Hills, but it made me cognizant of the importance of flood controls that had already been provided by this committee. Without them, the damage would probably have been 10 times as great. Furthermore, I am certain we all recognize now the need to fully fund many of the programs that are in the planning and developmental stages. A great deal of damage can be saved.

Mr. Chairman, I would like to ask permission to included in the record the following letters: One from Governor Reagan to President

Nixon, dated March 27, 1969; a letter from Governor Reagan to the Honorable Wilbur D. Mills, dated March 27, 1969; a letter to the Honorable Richard B. Russell from Governor Reagan, dated March 27, 1969; and letter to the Honorable Robert P. Mayo, from Governor Reagan, also dated March 27, 1969.

Senator JORDAN. They will be included at this point in the record.

Senator MURPHY. Thank you very much.

(The letters referred to follow:)

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, March 27, 1969.

HON. RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

DEAR DICK: You are well aware of the extensive damage and tremendous losses that have occurred in California as a result of recent storms. We in California are most appreciative of the unstinting assistance and support rendered by all agencies concerned to provide relief.

This assistance is authorized by existing state and federal legislation. It is evident, however, that additional assistance will be required to preclude further disruption of local economics or public fiscal programs. Legislation is pending in California to appropriate many millions of dollars for this purpose, and consideration is being given to revising the criteria under which assistance may be granted.

Additionally, I am sure you are aware that HR 6508 and SB 993 are being considered by Congress. This legislation would provide California additional disaster assistance which is urgently required. The importance of immediate passage of these measures cannot be overemphasized, since this emergency assistance will prevent or reduce deferment or elimination of ongoing programs for which local jurisdictions have been severely taxed to date.

A variety of damage figures has been reported with some as high as four hundred million dollars, but the best estimates available now indicate a minimum on the order of one hundred sixty-five million dollars public damage and one hundred million dollars private damage. Surveys continue with indications that significant increases above this two hundred sixty-five million dollar figure may be expected.

Accordingly, I am asking for your support for the passage of this legislation and its early implementation, and also for your support for continuation of required allocations under Public Law 81–875.

Sincerely,

RONALD REAGAN,
Governor.

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, March 27, 1969.

HON. WILBUR D. MILLS,
Chairman, House Ways and Means Committee,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MILLS: There is enclosed a copy of a letter which I sent this date to President Nixon concerning the urgency of providing disaster assistance to California.

Provision of this assistance will require your support of H.R. 6508 (Johnson) and S.B. 993 (Murphy) which are now being considered by the Congress. Also, obviously, it will require appropriate inclusion in the budgetary process. While current legislation in California will defray a portion of the costs, the additional assistance, which will be provided by implementation of this legislation, is considered to be an urgent requirement with respect to state and local damage problems.

Accordingly, your support of this legislation and the provision of required funding will be appreciated.

Sincerely,

RONALD REAGAN,
Governor.

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, March 27, 1969.

Hon. RICHARD B. RUSSELL,
Chairman, Senate Budget Committee,
Senate Office Building, Washington, D.C.

DEAR SENATOR RUSSELL: There is enclosed a copy of a letter which I sent this date to President Nixon concerning the urgency of providing disaster assistance to California.

Provision of this assistance will require your support of H.R. 6508 (Johnson) and S.B. 993 (Murphy) which are now being considered by the Congress. Also, obviously, it will require appropriate inclusion in the budgetary process. While current legislation in California will defray a portion of the costs, the additional assistance, which will be provided by implementation of this legislation, is considered to be an urgent requirement with respect to state and local damage problems.

Accordingly, your support of this legislation and the provision of required funding will be appreciated.

Sincerely,

RONALD REAGAN,
Governor.

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, March 27, 1969.

Hon. ROBERT P. MAYO,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. MAYO: There is enclosed a copy of a letter which I sent this date to President Nixon concerning the urgency of providing disaster assistance to California.

Provision of this assistance will require your support of H.R. 6508 (Johnson) and S.B. 993 (Murphy) which are now being considered by the Congress. Also, obviously, it will require appropriate inclusion in the budgetary process. While current legislation in California will defray a portion of the costs, the additional assistance, which will be provided by implementation of this legislation, is considered to be an urgent requirement with respect to state and local damage problems.

Accordingly, your support of this legislation and the provision of required funding will be appreciated.

Sincerely,

RONALD REAGAN,
Governor.

Senator JORDAN. I am particularly conscious of floods and the damage they can cause. We are going to have to continue to do all we can to avert these disasters. I live on a river and it is normally not a very big river, but we have a cotton mill right on that river and in 1945 we had 6 feet of water up in that mill. One who has never seen a flood can't imagine it. The mud and the debris that comes along with it, unless you have seen it, why, you can't comprehend it. That is one reason I have been a great advocate of flood control so we can avert these disasters.

Of course, right now, you have got a problem of taking care of the one that has already happened.

Senator MURPHY. That is a fact, Mr. Chairman. To add to the problem, we have this extra heavy snowpack. Of course, if you have heavy rains in the valley, you have extra snow up in the high peaks and ranges. Precautions against a runoff have been taken. All of the holding areas and the catch basins have been run down as much as they can be under the conditions in order to prepare for it, but everyone is quite worried still because this is a very heavy snow, which could cause even greater damage than the rains have already.

We must assist the people who have had their farms ruined by 3 or 4 feet of silt and their livestock buried. They don't know which way to turn for help to get started again.

That is one of the main purposes of this bill.

Another situation mentioned in S. 993 is extremely critical now. There is a tremendous shortage of lumber. Some economists just don't know what to do with the rise in its cost and this situation is going to further aggravate it. We must find funds to repair the lumber trails into the forest or we won't be able to get the needed lumber out.

There has simply been a concentration of calamities in California.

Senator JORDAN. You have got another problem. Not only is lumber scarce and expensive, but if these roads are not repaired a great deal of that timber is going to be bad because, you know, the life of a tree is just like people. When it reaches its maturity it should be harvested as it is ready because of the economic value that is going to come back to the Government in selling this timber which is needed now.

Senator MURPHY. Mr. Chairman, Mr. Charles Samson would like to make a presentation.

Senator JORDAN. Mr. Samson, we will be glad to hear from you.

STATEMENT OF CHARLES SAMSON, DIRECTOR OF THE CALIFORNIA STATE DISASTER OFFICE

Mr. SAMSON. Thank you, Mr. Chairman.

I am Charles P. Samson, director of the State disaster office.

Mr. Chairman, we have sent in copies for the committee of a report which carries considerable detail. I will only comment generally on it with emphasis on several of the points that appear appropriate.

Senator JORDAN. You may proceed on that basis, and the report will be included in the record at this point.

(The report referred to follows:)

OVERALL PUBLIC-PRIVATE DAMAGE ESTIMATES

The following general estimates reflect an upward revision in public damage from an earlier submitted estimate of 110 million to 165 million, 200 thousand dollars. This is caused by a 23% increase in the category of streets, roads, and bridges. This in turn has caused an adjustment in percentages across the board, but without significant dollar changes in other categories.

Current dollar estimates of public damage in 40 counties declared by the Governor to be a major disaster area (37 of these counties have been declared major disaster areas by Presidential proclamation) are now approximately 165 million, 200 thousand dollars. 27% of this estimated total is in the category of dikes, levees and drainage facilities; 48% is in the category of streets, roads and bridges; 14% is in the category of general debris clearance; 4% is in the category of protective health and sanitation measures; 4% is in the category of public utilities, primarily sewers; 3% in the category of public buildings and related equipment. (17% on Federal assistance system—31% non-Federal assistance system.)

The total private damage in these counties is estimated as approximately 100 million dollars. 55% of this estimate is in the agricultural category; 20% is in the residential and commercial category; and 25% is in the utilities area—railroads, electrical, water, etc.

Factual data on loss of lives is difficult to assess as it is noted that various county coroner reports normally used as a factual basis for such figures have included an unusually high percentage of traffic deaths which technically may not be attributable to storm damage as such. On this basis, figures provided by the Red Cross are considered more realistic insofar as deaths attributable

to actual storm conditions. Their figures to date show 33 dead, and a total of 117 injured to the point where hospitalization and/or treatment required.

Additional Red Cross data considered pertinent shows a total of 2,679 applications for assistance to individual families received by that agency, with an estimated ¾ to one million dollars to be committed in providing necessary assistance from this source.

With respect to the question on snow accumulations and possible effects of quick thaw, record or near record snows have already been measured throughout all mountain areas. If normal snow occurs during the remainder of March, it is certain that most existing snowfall records will be exceeded. This heavy snow accumulation, combined with soggy valley floors due to heavy sustained rainfall at lower elevations, creates potential problems in the event of rapid snow melt. The San Joaquin Valley is considered particularly critical in this regard.

On March 10, 1969, members of the National Government, State government, local jurisdictions and private enterprise met in Sacramento for the purpose of assessing the situation and organizing to cope with this threat. During the period of heavy run off, the Corps of Engineers, Bureau of Reclamation, State water sources, and local district personnel will provide continuous surveillance, patrolling and repair of the reservoir and levee system. Flood control releases have been instigated and are continuing in order to gain reservoir space for regulating the expected heavy run off from snow melt as the winter ends. Depending on the weather and related conditions, resources will be mobilized in appropriate places to cope with any breaks or other damage which may occur as a result of conditions beyond the capability of local forces. This situation is considered under control at the present time, and it is believed that the provisions being made for future actions are sound and appropriate.

It should be noted that the damage figures provided both in the public and private areas are estimates only and subject to further revision. Damage assessments are still in process at county and city level. It is expected that an additional 3 or 4 months will be necessary before fairly accurate figures can be compiled. Indications are that these estimates will increase.

TULARE LAKE BASIN

A. General

1. On the western slope of the Sierras, from the Feather River to and including the Kern, snow covers 14,500 square miles, with depths up to 200 inches. This area is almost 10% of the total area of the state.
2. Rate of runoff from the snow pack will depend primarily upon temperatures in the snow pack area during the critical period, April through July.
3. The San Joaquin Valley and the Tulare Lake Basins offer a higher risk of flood due to snowmelt runoff than any other area of the state. The latter presents the bigger problem, since drainage terminous is landlocked.
4. The Tulare Lake Basin is affected by the watersheds of the Kern, Tule, Kaweah, and Kings Rivers.
5. The only controlled disposal of water to the ocean from the Tulare Basin is from the Kings River through the Fresno Slough to the Mendota Pool, thence into the San Joaquin River.
6. The consumption of irrigation water during the runoff period, April through July, will greatly influence the amount of Tulare Lake storage space used.
7. Buena Vista Lake, fed by the Kern River, covers 23,000 acres and has a relatively small capacity of 230,000 acre feet. Surplus water from this lake must either be diverted north to Tulare Lake or flood agricultural land.

B. Kern River

It is estimated that the snowshed of the Kern River will produce 451% of the normal snowmelt runoff during the period April through July 1969.

For this period, a runoff of 1,900,000 acre feet is anticipated.

Control of this runoff depends upon the capacities of Isabella Reservoir, irrigation usage, ground water replenishment, and dumping the excess into Buena Vista and Tulare Lakes.

The present available space in Isabella Reservoir is 345,400 acre feet, and 230,000 acre feet at Buena Vista Lake, for a total of 575,400 acre feet.

Water usage plans for irrigation and ground water replenishment for the four-month period is estimated to be 600,000 acre feet.

Plans for the same period include dumping 180,000 acre feet per month into the Buena Vista-Tulare system (720,000 acre feet for the four-month period).

Since Buena Vista capacity is 230,000 acre feet, spillage into Tulare or elsewhere will have to be negotiated with land users. It is contemplated that there will be flood damage to agricultural land, with the various local groups trying to agree on where and how to keep the damage to a minimum.

SUMMARY OF RUNOFF—APRIL–JULY ESTIMATES

[Acre-feet]

	Available	Disposal	Surplus
Total from Snowshed	1,900,000		
Isabella Reservoir		345,000	
Buena Vista Lake [1]		230,000	
Irrigation and ground water		600,000	
Tulare Lake [1]		370,000	
Net (Tulare Lake)			355,000

[1] Subject to negotiation.

Mr. Harold Russell, Buena Vista Water Storage District, and Mr. Charles Williams, Kern County Land Company, provided information regarding plans for control of runoff.

C. Tulare Lake

The two largest sources of water which may contribute to Tulare Lake are the Buena Vista Lake-Kern River system and the Kings River. The Tule and Kaweah Rivers watersheds provide lesser, although significant, amounts. It is estimated that the Kings River snowshed will produce 2.9 million acre feet during the four-month period, of which about 1.1 million will flow north through Fresno Slough into the San Joaquin River, and 1.3 million will be used for irrigation.

Tulare Lake now contains about 434,000 acre feet within controlled cells, covering 60,000 acres. As additional water is accepted in the lake, agricultural land available for cultivation is reduced.

Current combined space available in Success, Pine Flat, Terminus, and private reservoirs is about 600,000 acre feet and increasing.

SUMMARY OF RUNOFF—APRIL–JULY ESTIMATES

[Acre-feet]

	Available	Disposa
Kings River sowshed	2,900,000	
Pine Flat and private reservoirs		501,000
Mendota Pool via Fresno Slough		1,130,000
Irrigation		1,300,000
Tule River snowshed	200,000	
Success Reservoir		30,000
Irrigation and ground water		150,000
Kaweah River snowshed	700,000	
Terminus Reservoir		69,000
Irrigation and ground water		580,000
Buena Vista Lake-Kern River (disposal and surplus)	725,000	
Tulare Lake		765,000
Total	4,525,000	4,525,000

Tulare Lake can handle the 765,000 acre feet necessary to take care of the excess runoff. It should be noted that most of this water is contributed from the Kern River watershed. If this high estimate of 451% snowpack is in error to the low side, the need to send water to Tulare Lake will be reduced.

All agree that this is the biggest source of worry to agricultural interests.

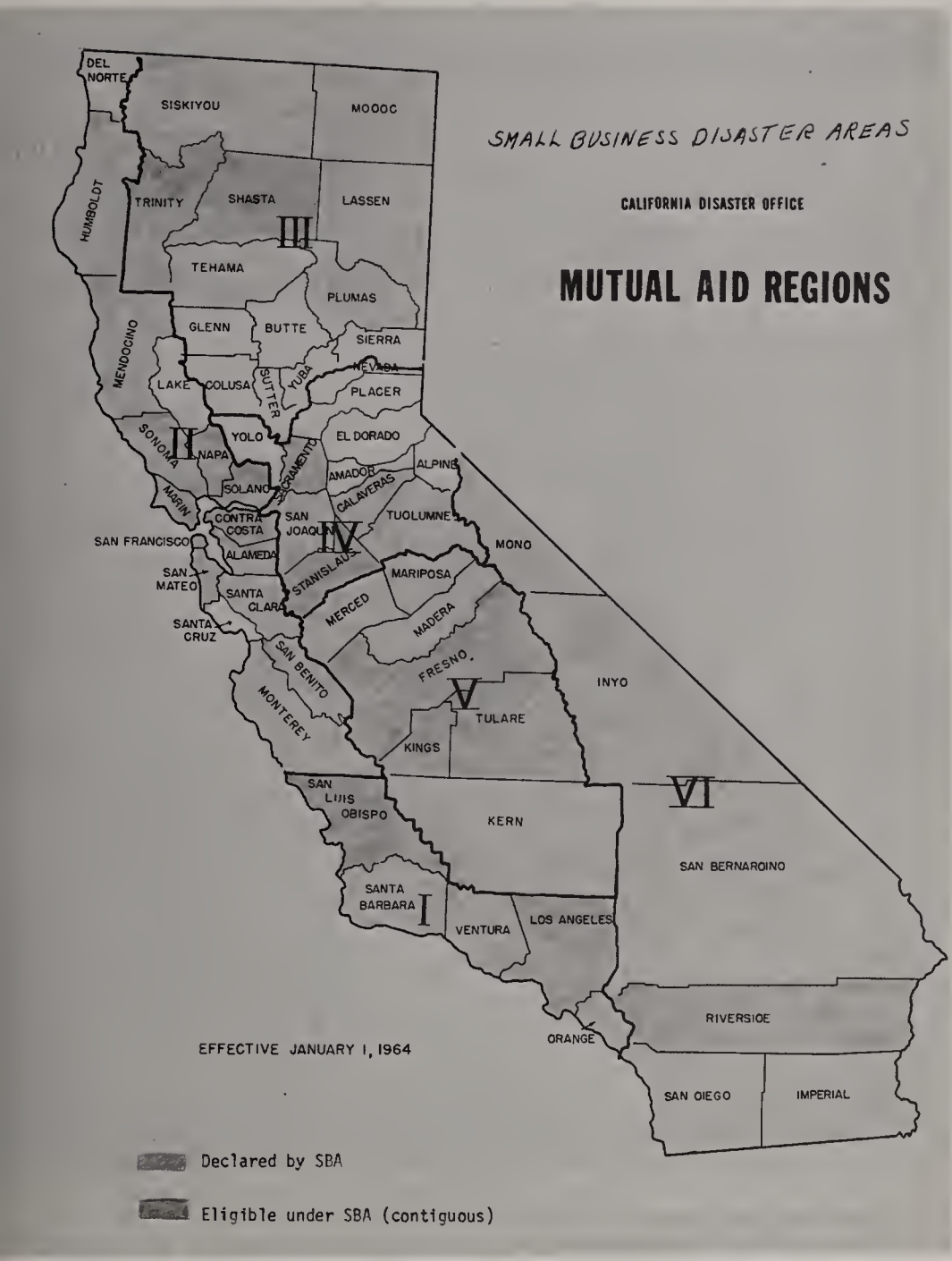
Information was furnished by Mr. Robert Leake, Kings River Water Association; Mr. John Rachord, J. G. Boswell Company, Corcoran; and Robert Miller, State Department of Water Resources.

REQUEST RECEIVED TO DATE AS OF MAR. 15, 1969, BY PROJECT APPLICATION FOR SUPPLEMENTAL FEDERAL FINANCIAL ASSISTANCE UNDER PUBLIC LAW 81-875

[By category]

Counties	Debris clearance (A)	Protective, health and sanitation measures (B)	Streets, roads, and bridges (C)	Dikes, levees, and drainage facilities (D)	Public buildings and related equipment (E)	Public utilities (F)	Total
Amador	$1,500.00	$750.00	$3,800.00	$14,882.50		$5,000.00	$25,932.50
Contra Costa	12,000.00		8,000.00	251,992.90			271,992.90
El Dorado						542.03	542.03
Fresno	45,013.33	164,268.95	467,441.37	334,937.11		13,629.09	1,025,289.85
Humboldt			2,682.00	10,300.00		137,537.00	150,519.00
Inyo	5,314.00	397.00	13,002.00	90.00			18,803.00
Kings	5,801.00	19,095.86	11,018.40	90,125.73	$374.00	318.25	126,713.24
Los Angeles	7,754,708.39	542,334.64	6,632,643.66	3,170,654.92	133,509.68	557,357.70	18,791,208.99
Mariposa	2,000.00	690.00	19,346.00				22,036.00
Mendocino	5,600.00		32,000.00				37,600.00
Merced	750.00	2,911.68	2,900.00	25,485.41	108,575.00		140,622.09
Modoc	3,500.00	16,500.00	52,910.00		2,000.00		74,910.00
Mono	41,625.05	3,050.00					44,675.05
Monterey	20,465.34	15,720.78	137,094.31	32,896.21			206,176.64
Orange	37,567.39	303,881.73	157,555.08	4,219,207.40	726.00	161,309.38	4,880,066.98
Placer	9,186.64	11,309.95	297,381.11			5,813.33	323,691.03
Riverside	149,475.99	128,040.92	506,868.50	526,949.00	8,447.95	969,008.75	2,288,719.11
Sacramento	13,260.00	51,145.14		679,174.73	9,000.00		752,579.87
San Benito	16,725.00	18,089.00	134,190.00	3,520.00		2,500.00	175,024.00
San Bernardino	988,568.30	291,008.17	1,414,791.70	2,606,735.00	9,525.00	352,573.58	5,673,201.75
San Joaquin	6,950.00	30,454.07	46,784.82	1,202,945.12			1,287,134.01
San Luis Obispo	8,800.00	13,060.00	55,590.00				77,450.00
Santa Barbara	100,793.72	145,175.02	635,341.74	170 300.00	42,069.50	156,871.77	1,250 551.75
Shasta			27,000.00	9,000.00			36,000.00
Solano	450.00	634.50	17,800.00	271,096.77		79,850.00	369,831.27
Stanislaus	4,069.99	6,621.98	251,070.00	35,250.00	754.73		297.766.70
Tehama			10,275.00	3,226,860.00			3,237,135.00
Tulare	6,260.80	19,009.16	17,003.15	286,222.20	17,714.00		346,209.31
Ventura	1,172,438.58	314,900.29	1,539,454.60	2,684,540.28	14,656.91	689,370.03	6,415,360.69
Yuba	13,600.00	2,024.00	103,000.00	27,500.00		18,793.00	164,917.00
Total counties, cities, and districts	10,426,423.52	2,101,072.84	12,606,943.44	19,880,485.28	347,352.77	3,150,473.91	48,512,751.76
Total State agencies	500.00	46,069.15	145,654.00	541,463.00	154,920.00		888,606.15
Grand total	10,426,923.52	2,147,141.99	12,752,597.44	20,421,948.28	502,272.77	3,150,473.91	49,401,357.91

COUNTIES DECLARED DISASTER AREAS.
PL 875
CALIFORNIA DISASTER OFFICE
MUTUAL AID REGIONS
DEL NORTE
SISKIYOU
MODOC
HUMBOLDT
TRINITY
SHASTA
LASSEN
III
TEHAMA
PLUMAS
GLENN
BUTTE
SIERRA
MENDOCINO
NEVADA
LAKE
COLUSA
SUTTER
YUBA
PLACER
II
SONOMA
YOLO
EL DORADO
NAPA
SACRAMENTO
AMADOR
ALPINE
MARIN
SOLANO
CALAVERAS
CONTRA COSTA
SAN JOAQUIN
IV
TUOLUMNE
MONO
SAN FRANCISCO
ALAMEDA
STANISLAUS
MARIPOSA
SAN MATEO
SANTA CLARA
MERCED
MADERA
SANTA CRUZ
SAN BENITO
FRESNO
INYO
MONTEREY
V
TULARE
KINGS
SAN LUIS OBISPO
KERN
VI
SAN BERNARDINO
SANTA BARBARA
I
VENTURA
LOS ANGELES
RIVERSIDE
ORANGE
SAN DIEGO
IMPERIAL
EFFECTIVE JANUARY 1, 1964
Declared by the President
Proclaimed by the Governor for Tax Relief
Proclaimed by the Governor - no Federal Assistance requested


SMALL BUSINESS DISASTER AREAS
CALIFORNIA DISASTER OFFICE
MUTUAL AID REGIONS
DEL NORTE
SISKIYOU
MODOC
HUMBOLDT
TRINITY
SHASTA
LASSEN
III
TEHAMA
PLUMAS
GLENN
BUTTE
SIERRA
NEVADA
MENDOCINO
LAKE
COLUSA
SUTTER
YUBA
PLACER
SONOMA
II
YOLO
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NAPA
SACRAMENTO
AMADOR
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SOLANO
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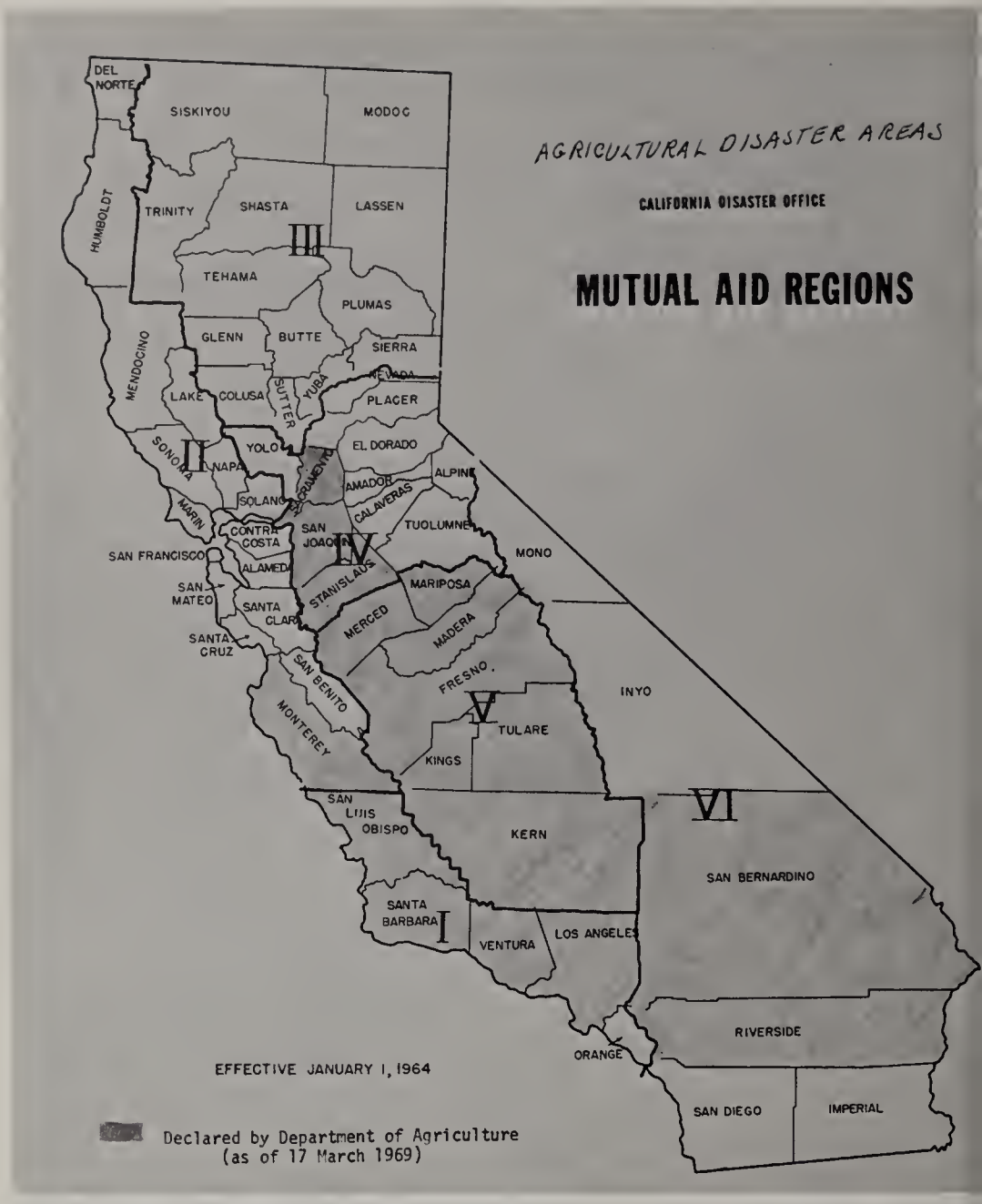
CONTRA COSTA
SAN JOAQUIN
IV
TUOLUMNE
SAN FRANCISCO
MONO
ALAMEDA
STANISLAUS
SAN MATEO
MARIPOSA
SANTA CLARA
MERCED
MADERA
SANTA CRUZ
FRESNO
SAN BENITO
INYO
V
MONTEREY
TULARE
KINGS
SAN LUIS OBISPO
VI
KERN
SAN BERNARDINO
SANTA BARBARA
I
VENTURA
LOS ANGELES
RIVERSIDE
ORANGE
SAN DIEGO
IMPERIAL
EFFECTIVE JANUARY 1, 1964
Declared by SBA
Eligible under SBA (contiguous)



Mr. SAMSON. Thank you very much.

I would like to express the appreciation of Governor Reagan for our people to have the opportunity to appear before you and also for the work which has been done in California for which this committee has been responsible in the past.

The California Disaster Office is responsible for the administration of Public Law 875 funds, which provide for the emergency repairs and restoration outside of the private sector, and I would emphasize that the bill becomes even more important in the prevention of disruptions to the economy.

The general estimates which I have included in my report to the committee have been revised upward and, as has been indicated, also, these are continuing to escalate. The figure of $165 million will probably be increased somewhat as a result of later reporting. There are also certain areas today which cannot be reached because of the heavy snow cover and, accordingly, the results in there will not be known until sometime later in the spring.

It is indicated, also, that landslides which are occurring will continue to occur, regardless of whether the rain continues, because the ground is so saturated in many areas that it can be predicted that there will be landslides for several months to come.

The total private damage has been indicated as $100 million. Roughly 55 percent of this is in the agricultural areas, 20 percent in residential and commercial and 25 percent in the utilities areas. Hence, the importance of the other aspects of this bill, which the Senator has mentioned.

I would comment briefly on your question concerning the San Joaquin Valley. As you probably are aware, there are two old lake beds in the lower part of the San Joaquin Valley—Tulare Lake and Buena Vista Lake. These are areas which formerly were lake beds, later reclaimed and now used as tremendously rich farming land. They are divided into large cells which are flooded as necessary on a contingency basis when floods occur.

In the 1967 period we had something like 23,000 acres in the Tulare Lake Basin flooded and it carried about 7 to 8 feet deep, something on the order of 175,000 acre-feet. This was done by flooding, I believe, two of the cells.

There is now some 70,000 acres under water, anticipated to rise to 200,000 acres, with something like 335,000 to 350,000 acre-feet of water in there now, which may well go up over 1 million acre-feet. This water will remain in the area for a considerable time; so it can affect that land and the economy of those counties for years.

In 1967 it was late August and September, before that water receded off the land, and then some time after that before the farmers could get in to plant; so you can see that there is a tremendous side effect on the economy of the area which affects its tax structure.

This, again, emphasizes the importance of the emergency aspects of this bill. Since mid-February, in anticipation of the coming floods which will create some problems in these and other areas, we have been meeting with the representatives of the Federal Government, various State agencies, and private individuals who have the control of the flow of water in these various areas. We are working out a coordinated effort to insure that storage in reservoirs behind the dams along the east slope of the San Joaquin Valley is reduced to the maximum extent possible before the floods really start from the melting snows in the spring. Recent warm weather has increased the inflow to reservoirs. The increase of the out-flow has caused levels to be drawn down so there now is a considerable reservoir space available. This will continue throughout the period. Also, provisions have been made for the patrolling of the levees, emergency repair work, and all things necessary to provide the maximum of safety during this period. These will require considerable additional expenditures

by the State and, of course, by the Corps of Engineers and some Federal agencies.

It has been a tremendously fine cooperative effort of all echelons of government and private individuals who are working together on this, and I think it is worthy of considerable note, the fact that such a cooperative effort is taking place.

In spite of this, however, we do anticipate that there will be considerable additional damage that will result later in the year.

The data in my report covers all areas of California involved in the current disaster. My comments necessarily have treated limited areas. You will hear from representatives of other areas of the State. We support the bill as it affects all areas concerned.

That generally concludes my remarks. I would be pleased to answer any questions that might be asked.

Senator JORDAN. Mr. Samson, I appreciate your remarks and I assure you that the other information you have along with your statement will be considered by the full committee, and the subcommittee, of course.

Mr. SAMSON. Thank you, Mr. Chairman.

Senator JORDAN. At this point I would like to say that we are delighted to have the chairman of the full committee to be with us at this time. He is very much interested in all these matters and he dropped by here particularly because he is so interested.

Would you like to make a statement, sir?

Senator RANDOLPH. Mr. Chairman, I will not break the continuity of the testimony, except to have the record reflect that the Senate 993 is legislation introduced by our distinguished colleague from California. We had the valuable services of Senator Murphy, as you know, Senator Jordan, on our committee for 4 years. I believe that is the exact time, if memory serves correctly.

Senator MURPHY. That is right, Mr. Chairman.

Senator RANDOLPH. And during that time he was a helpful member in the consideration of legislation. His help was not provincial in any sense, but was applied to the Nation as a whole. He brings to us in this legislation, Senate 993, a disaster proposal which is the result of experience in his own State actually, where there have been these very considerable problems, tragic in nature, and in degree. I had the privilege, Mr. Chairman, of talking with Senator Murphy about this legislation. I have assured him that we want to proceed with the hearings as expeditiously as possible, and then in the subcommittee and the full committee we will give well-reasoned judgment to this matter.

So I join you, Mr. Chairman, and members of our Subcommittee, on Roads, and the entire Committee on Public Works, in saying to the Senator and his associates and friends, those who testified today from California, that we are conscious of his commitment and that we wish to move the legislation based on the counsel which is given to us in the hearings.

I had asked the young lady, a member of our staff, to secure for me the name of the poet in California who wrote that very stirring poem which I knew as a youngster called "Columbus." I can still recite it, which I am not going to do. But "Behind him lay the gray Azores; behind the gates of Hercules. Before him only ghosts of shores; before him only shoreless seas."

But that was written by a Californian. I lived up in this country.

His name was Joaquin Miller. I thought I remembered his name though we pronounced Joaquin in two or three different ways.

Senator MURPHY. Joaquin.

Senator RANDOLPH. Joaquin Miller.

Senator MURPHY. Yes.

Senator RANDOLPH. Sounds more like a valley than a man's name, but I was remembering correctly.

And, because of the subject matter here, floods which sweep through a valley and disrupt life, shift buildings, mislocate highways, I thought of a story that was told of Joaquin Miller who was visited by a friend in his cottage. The friend said, "Your cottage here is rather unusual," and the Poet Miller, said, "Well, nothing ever sweeps through it but the wind." And the guest said, "Well, I can see that it has never been swept by anything else."

So I do feel that here we must come with a rather frontal attack, Senator Murphy. Timid approaches do not suffice in matters of this kind. Tragic aspects of upheavals which take place must be considered by our subcommittee.

And I thank you, Mr. Chairman, for allowing me to just participate, and to express to Senator Murphy and to assure him, as the chairman has already done, of our concern.

Senator MURPHY. Mr. Chairman, if I may, I would like to thank my distinguished colleague for his most gracious remarks, and say how pleased I am with the way that this whole matter has been expedited and the speed with which it has been brought to the attention of the subcommittee. The reception which we have received here today has been most courteous.

With regard to experiencing of floods, does the chairman remember a former colleague of mine, Ralph Bellamy, a distinguished actor who had the privilege of portraying President Roosevelt in the great successful play in New York? During the last flood that I experienced in California he lived in a house down on Riverside Drive. This was a brick house with a brick wall around it. When he returned home from work one day there wasn't even any evidence that there had ever been a house there. Every brick, had disappeared down the floodwaters of the Los Angeles River, which ordinarily is a little stream 4 feet across. That was a terror. Once I watched a wall of water 40 feet high come down and destroy a brand new bridge by the Universal Studio in a matter of about 3 minutes. There was no evidence of a bridge ever having been there.

So many of these homes in southern California counties have been built on hillsides. The water just seeps in and undercuts the home until it slides.

Senator RANDOLPH. Just before leaving, Senator Murphy, I think the record should also reflect that these types of floods—we call them in the West Virginia hills flash floods. I am not saying their origins are the same, but we find the loss of life and the heavy destruction in property, and it takes place in minutes; not hours. It is that sort of a movement of water.

Senator MURPHY. Yes.

Senator RANDOLPH. It is a very real threat that has brought terror, as you have indicated by the use of that word, into our mountain and valley country.

Senator MURPHY. Thank you very much.

Senator JORDAN. Speaking of the poet's house being swept by the wind, I have seen windstorms, hurricanes, cyclones, and have been really in them, but I have also seen two floods and there is a vast difference between a windstorm sweeping a house and a flood, because the flood sweeps the house away, so you don't have to sweep.

Senator MURPHY. That is right.

Senator JORDAN. They are both bad, but there is nothing that can compare with a flood of this magnitude.

I just want to say that you have given a great deal of thought to this legislation, and you know something about it. You presented it well, and we are delighted to have it.

Senator MURPHY. I might say that in regard to the testimony of Mr. Samson 3 years ago, Senator Kuchel and I enlisted the support of all the Federal and State agencies that might be involved in flood-control programs to take every precaution in averting a flood. For the first time, I believe, in the history of our State, everyone had been alerted and organized and we had no problem, even though the rains were heavy.

This year, as just pointed out, this same organization is taking place this year in order to avert whatever damage may occur. Unfortunately, however, we have no space for runoffs. It has already been taken up with rains and there will be an increasing problem.

Mr. Chairman, with your permission, Mr. Stearns has a statement he would like to make.

Senator JORDAN. We will be glad to hear from you, Mr. Stearns.

STATEMENT OF JAMES G. STEARNS, RESOURCES AGENCY, DEPARTMENT OF CONSERVATION, STATE OF CALIFORNIA

Mr. STEARNS. Mr. Chairman and members of the committee, I appear today on behalf of the resources agency of California to support S. 993, and to suggest several other areas of concern that deal with the subject matter of that bill.

Other witnesses can present damage figures in dollars to both public and private facilities in addition to my request, and I would like to confine my remarks generally to preventive measures as we go into what our meteorologists tell us will probably be a cycle of wet years. And, since we very probably have major localized flooding ahead of us this year, I would like to give the committee a general idea of the State's capabilities if that eventuality develops.

I would like to call to the attention of the committee the fact that California's Public Law 566 proposals are the proper concern of this committee, as well as the Senate Agriculture Committee. As the results of the recent southern California floods indicate, these projects will protect urban areas, too; and there is ample reason for your two committees to consider them for emergency funding.

Because the Carpinteria project is such a good example of this, I have provided the committee with copies of the work plan and a pictorial record of the flood it is designed to control.[1] Your committee has, also, a status report of all Public Law 566 projects in California; and I submit, today, our best estimates of the damages in the areas where these projects are yet to be funded, or are not completed. Taken

[1] The material is retained in the committee files.

together, they present an opportunity to buy an awful lot of flood control for a relatively small amount of money.

Your staff can digest these figures, but in round figures it is the sum of these seven small projects now ready for funding in the Congress, which is about $21 million, and they fall in the areas of Main Street Canyon in Riverside County, and three of them in the north-central coast area of San Luis Obispo, San Luis Rey, and Carpinteria. The damage that was done in these areas was pretty spectacular. The most spectacular of all, of course, was to Carpinteria.

Because the stability of the watershed of any stream is all important in the origination of flood-carried debris, and because that debris compounds and multiplies the destructive force of any heavy runoff, we cannot afford to let our watersheds burn. The tragic fire-flood sequence was demonstrated at Glendora in southern California this year.

Again, I call on your good offices to communicate to your Agriculture and Appropriation Committees the vital need for full funding of the Clarke-McNary Act. The vegetable cover of the watershed that retains the moisture where it falls is the best and least costly flood prevention money can buy.

The California Division of Forestry and the U.S. Forest Service have one of the finest, most effective cooperative mutual-aid fire-protection systems in the country; but they can only go as far as their money takes them. The Federal Government does have, as expressed in the Clarke-McNary Act, an interest in the non-Federal watershed areas. The aftermath of a flood demonstrates, as nothing else can, how much can be bought in damage prevention and avoided human suffering with an adequate wildland fire-protection system. Full funding of the authorized $20 million a year to the States would materially assist this effort in California. In addition, a congressional review dating back to the original 50–50 concept embodied in the 1924 act seems to be indicated.

In California's instance, this 50–50 matching fund beginning in 1924, is at the place where the Federal share is now slightly less than $1 million and the State is putting up about $26 million a year in fire protection.

I would like to assure the committee that neither the State of California, nor the Federal agencies with responsibility there, are waiting without preparation the spring flooding that may very well develop. Although the Corps of Engineers has overall maintenance responsibilities for works they have constructed in California, the water control and flood protection systems have been built and are operated as cooperative projects by many agencies of government at all levels. They are preparing for and will respond to these spring emergencies in the same cooperative vein that these problems have historically been faced in California.

In addition to the Corps of Engineers, this involves the Bureau of Reclamation, the Department of the Army as a service coordinating agency, the California Department of Water Resources, California Reclamation Board, and a vast array of local irrigation districts and flood control agencies. Operating from one central headquarters in Sacramento with a full interchange of information, beginning with known snowpack and weather data, these agencies represent one of the country's most effective flood response combinations. Their call for

assistance to the California Disaster Office and the Office of Emergency Preparedness brings into play additional manpower and machinery, including my own department of conservation.

The division of forestry's conservation camp system provides a very effective trained hand labor force for fire and flood and other emergencies. They assisted in the cleanup of the Santa Barbara oil spill. About 3,000 men organized into 16-man crews, they are trained and well led, with their own transportation and they are a very effective hand labor force for all emergency circumstances.

Senator JORDAN. May I ask who defrayed the expense for that part of the program?

Mr. STEARNS. It is a part of the corrections system, but they are in 80-man camps scattered all over the State. We have 33 of them and know for the work that we get out of them they are not expensive. They are very effective.

Senator MURPHY. The State provides this, does it not?

Mr. STEARNS. Yes; but we use them on Federal land for fighting fire and floods in emergency circumstances.

Senator JORDAN. It is a State agency?

Mr. STEARNS. Yes; it is. I know this presentation has been very general in nature, some of the material that I have forwarded to your staff is more explicit in terms of California's fire protection and small watershed project needs. In separate letters, our department of parks and recreation, and harbors and watercraft, have submitted damage figures for their own facilities.

I think I will conclude my testimony with that and will be happy to answer any questions.

Senator JORDAN. Thank you very much.

Senator MURPHY. Thank you, Mr. Chairman. We appreciate very much the opportunity to appear this morning. I have every confidence that this bill will get full consideration, and we are very hopeful that we cannot only help the people who suffered through this calamity but also set a pattern for emergency conditions in the future through this bill so we won't have to be doing it after the fact. Also, I would hope that we can find a means to make the President of the United States capable of acting immediately in future years when such a disaster strikes.

Senator JORDAN. Thank you. I appreciate your being here with your assistants, and I can assure you of appropriate action by this committee.

Without objection, the material you have supplied will be included in the record at this point.

(The material referred to follows:)

STATE OF CALIFORNIA—MEMORANDUM

To: Hon. N. B. Livermore, Jr., Secretary for Resources.
From: Department of Parks and Recreation.
Date: March 26, 1969.
Subject: Damage to State Park Facilities—Storms of January–March 1969. S. 993; H.R. 6508.

The following information is for presentation to the Committee hearings on H.R. 6508 and S. 993.

The total estimated cost of repairs to damaged State park facilities caused by the recent severe storms is $930,200. It is likely that additional damage will

become apparent as the water recedes in flooded units and the snow melts in the high country.

The cost of repair estimates are in three categories—I. Public Facilities, II. Natural Resources, III. Non-public Facilities. A breakdown of the estimated costs by districts and categories is attached. A brief explanation of the categories and totals follows:

I. DAMAGE TO PUBLIC FACILITIES

A. Buildings and structures $54,100
(Includes public buildings and structures damaged or destroyed by water, wind, or mud).

B. Roads and bridges 362,700
(Includes all park roads and bridges damaged by slides, slipouts or washouts, including replacement of culverts, guardrails, etc.)

C. Other 80,800
(Includes trail damage, replacement of incidental equipment such as garbage cans or picnic tables, damage to formal landscaping, utilities and gravel removal from Lake Benbow water ski area, and emergency snow removal at Squaw Valley.)

II. DAMAGE TO NATURAL RESOURCES

A. Land 213,600
(Includes erosion repair, cleanup of debris on beaches, and cleanup of fallen trees where they interfere with public use.)

B. Stream damage 88,600
(Includes repair of bank protection works, and removal of log or debris jams.)

C. Other 60,300
(Includes removal of storm debris not listed in other categories.)

III. DAMAGE TO NONPUBLIC FACILITIES

A. Buildings and structures 9,800
(Includes repairs to service and administration buildings and residences.)

B. Other 50,000
(Includes damage to wells and pumps, sprinkler systems, dikes, etc.)

Request to Department of Parks and Recreation by San Luis Obispo County 9,800
(Facilities owned by Department of Parks and Recreation and operated and maintained by San Luis Obispo County.)

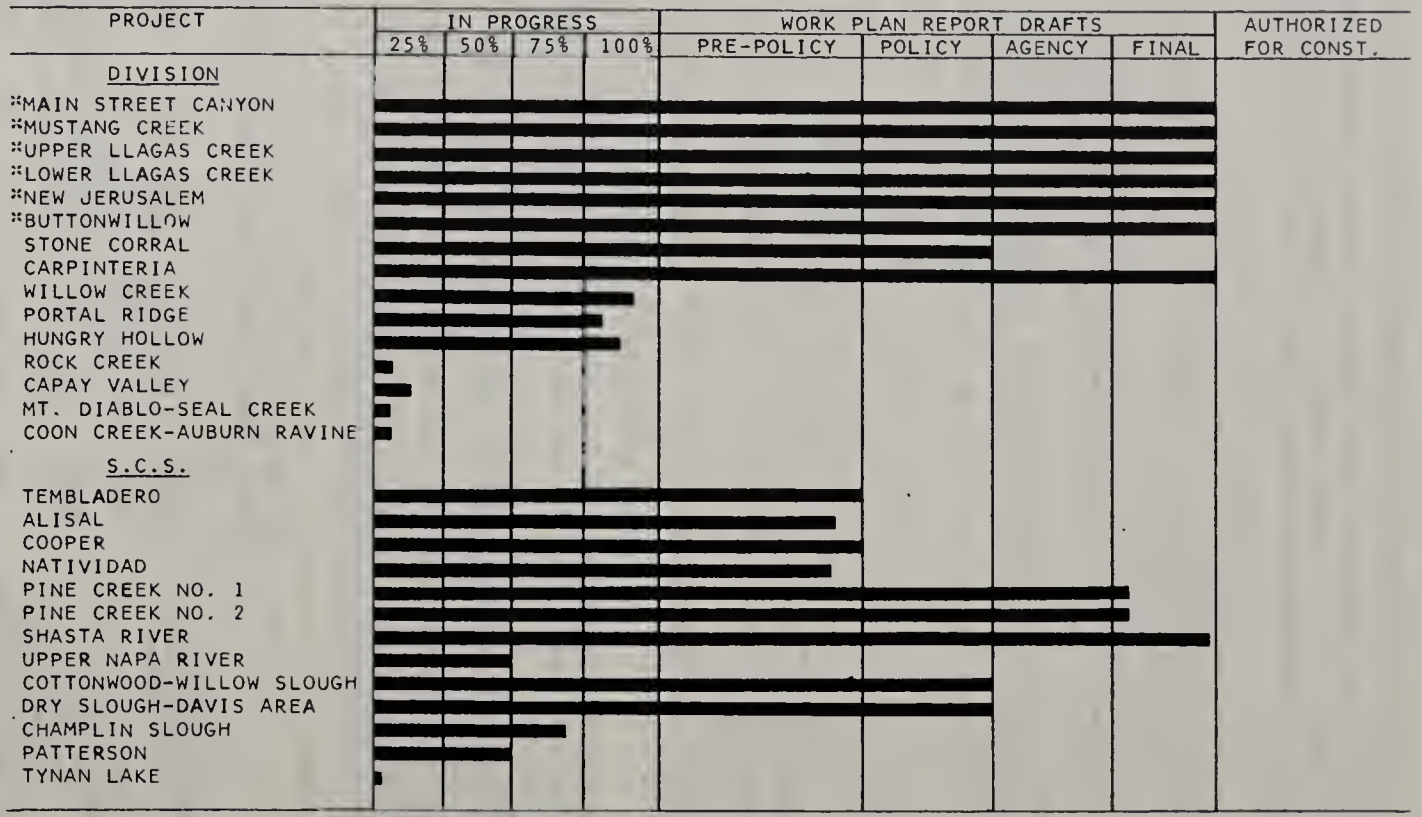
Total 930,200

	District 1	District 2	District 3	District 4	District 5	District 6	Total
I. Damage to public facilities:							
A. Buildings and structures	1,000	2,100	43,900	600	4,100	2,400	54,100
B. Roads and bridges	224,000	37,200	46,400	38,300	14,800	2,000	362,700
C. Other	12,500	2,200	12,600 / [1] 30,200	500	5,500	17,300	80,800
II. Damage to natural resources:							
A. Land (slides, etc.)	50,000	0	25,300	2,500	23,700	112,100	213,600
B. Stream damage	60,000	2,000	19,100	4,500	300	2,700	88,600
C. Other (cleanup, debris, etc.)	2,000	2,600	11,400	16,700	9,500	18,100	60,300
III. Damage to nonpublic facilities:							
A. Buildings and structures	0	0	3,500	700	2,100	3,500	9,800
B. Other	0	0	1,200	0	400	48,900	50,500
Subtotal	349,500	46,100	193,600	63,800	60,400	207,000	920,400
Request from San Luis Obispo County							9,800
Total							930,200

[1] Emergency snow removal, Squaw Valley SRA.

STATE OF CALIFORNIA
DIVISION OF SOIL CONSERVATION

STATUS OF WORK PLANS



* APPROVED BY CONGRESSIONAL COMMITTEES FOR INSTALLATION OF WORKS OF IMPROVEMENT

1/ PROJECTS WHICH INCLUDE A RESERVOIR WITH A CAPACITY IN EXCESS OF 4,000 ACRE-FEET.

MARCH 1969

PROJECT PLANNING

PUBLIC LAW 566

PROJECTS AUTHORIZED FOR PLANNING

1	LOWER LLAGAS
2	UPPER LLAGAS
3	UPPER NAPA RIVER
4	TEMBLADERO
5	COOPER
6	ALISAL
7	NATIVIDAD
8	SHASTA RIVER
9	PORTAL RIDGE
10	PINE CREEK NO. 1
11	PINE CREEK NO. 2
12	MAIN STREET CANYON
13	MUSTANG CREEK
14	CARPINTERIA
15	COTTONWOOD-WILLOW SLOUGH
16	DRY SLOUGH-DAVIS AREA
17	NEW JERUSALEM
18	STONE CORRAL
19	WILLOW CREEK
20	BUTTONWILLOW
21	HUNGRY HOLLOW
22	ROCK CREEK
23	CHAMPLIN SLOUGH
24	PATTERSON
25	CAPAY VALLEY
26	MT. DIABLO-SEAL CREEK
27	COON CREEK-AUBURN RAVINE
28	TYNAN LAKE

☐ APPROVED FOR CONSTRUCTION-NOT YET FUNDED

STATE OF CALIFORNIA

DIVISION OF SOIL CONSERVATION

MARCH 1969

STATE OF CALIFORNIA, DIVISION OF SOIL CONSERVATION

Flood damage report—Public Law 566 projects,[1] January–February 1969

Project	*Flood damages*
Division:	
Main Street Canyon [2]	$250,000
Mustang Creek [2]	450,000
Upper Llagas Creek [2]	234,000
Lower Llagas Creek [2]	351,000
New Jerusalem [2]	([3])
Buttonwillow [2]	([3])
Stone Corral	200,000
Carpinteria	1,800,000
Willow Creek	([4])
Portal Ridge	150,000
Hungry Hollow	70,000
Rock Creek	20,000
Capay Valley	([4])
Mount Diablo-Seal Creek	20,000
Coon Creek-Auburn Ravine	400,000
SCS:	
Tembladero	88,000
Alisal	32,000
Cooper	16,000
Natividad	168,000
Pine Creek No. 1 | Pine Creek No. 2	30,000
Shasta River	([4])
Upper Napa River	([5])
Cottonwood-Willow Slough	24,000
Dry Slough-Davis Area	18,000
Champlin Slough	63,000
Patterson	([3])
Tynan Lake	25,000
Total damages	4,409,000

[1] Flood damages for projects planned or being planned.
[2] Approved by congressional committees for installation of works of improvement.
[3] Drainage project.
[4] Agricultural water development project.
[5] Damages included in Napa River ($46,700).

Senator JORDAN. Mr. Stokes, we would be glad to hear from you, sir. You may proceed.

STATEMENT OF A. P. STOKES, ROAD COMMISSIONER AND ENGINEER MANAGER OF WATERWORKS, FLOOD CONTROL, AND SANITATION DISTRICTS FOR VENTURA COUNTY, CALIF., ACCOMPANIED BY JOHN CONLAN, SUPERVISOR FROM VENTURA COUNTY, CALIF.

Mr. STOKES. Mr. Chairman, we will make a very brief presentation showing that what happened to Ventura County is typical in many counties in California.

[Chart.][1]

Mr. STOKES. Santa Barbara County is here. Los Angeles County is here, and this is the Pacific Ocean.

[1] Chart usd by Mr. Stokes was not available for reproduction and inclusion in this hearing.

We have traversing our county the Santa Clara River. This major watershed had two peaks and we consider them two 100-year storms, 1 month apart.

To give you an idea of the flow in that river at the month, the flow in January exceeded the amount that flowed into the Orville Dam in northern California for the same time period by some 20 percent.

Of course, you members of the Public Works Committee are well familiar with the California water problem. Along with that flow, we had some things that probably never will occur again. We had two hippopotami that got loose in Los Angeles County, and they started down the river. We had two 14-foot alligators get loose from the animal compound and they came down the river. To indicate the severity and viscosity of the water, it killed both alligators.

Senator JORDAN. Who got the hides?

Mr. STOKES. We don't know.

Senator JORDAN. They are valuable, you know.

Mr. STOKES. We have found one here [indicating] that took a ride of approximately 50 miles and another one here maybe 30 miles.

But we suffered considerable damage in our county and particularly in the area of roads. Our county is one of the fastest growing counties in the United States. We have had a population increase in the last decade of approximately 100 percent. We have a beautiful county, and it is very wealthy in an agricultural sense. This Santa Clara River Valley is one of the finest citrus raising areas in the United States.

Senator JORDAN. Is that your principal crop in that valley?

Mr. STOKES. Yes; and then we have flower growing, and so on, but citrus is our major agricultural commodity, and it is the most important industry at the moment in our county. We had considerable damage, and, of course, without roads and other vital utilities we are in bad shape.

To give you an idea of what our losses in the county have been, we have lost property damage in the neighborhood of $43 million, and this includes public utilities, private sectors, county roads, and so on. Our county roads suffered a damage of $3.6 million.

Under existing relief acts that we have in our State, and in the Federal laws, if no action is taken on this bill or others we look forward to a loss of about $1.2 million to restore our facilities, our roadways, and so forth, to a condition that existed just before the January storms. That $1.2 million represents about 10 percent of the budget of the county that is available for that purpose.

Senator JORDAN. Was the great portion of your citrus fruit washed away or dirt washed off the roots, and so forth? In other words, did you have any permanent damage to your groves?

Mr. STOKES. Yes, sir. We had several situations. One was the dropping of debris. We have very steep mountains, and then it levels out to the alluvial plains, and what happens, as the water comes down and slows down, it drops the mud and in many cases this mud came up 4 or 5 feet on the tree and there is no way of saving that tree.

The other problem was the erosion of orchards by the river, and this took out the trees. But in our roads we had practically every town in the county severed by the failure and removal of bridges and

culverts during these storms. We had two storms precisely 1 month apart to the day, and both of these are classified as occurring on the average of once every 100 years. And this has us engineers a little shook up because of the 1-month difference between these storms.

Senator JORDAN. You got 100 years ahead of yourself; didn't you?

Mr. STOKES. Yes, and the optimists say now you have 200 years of flood-free situations, but as your previous witness indicated, we are going into a wet cycle, no question about that, and this will give southern California many problems.

Senator JORDAN. Well, as an engineering fact, it is well known that once you have a flood of that magnitude it can happen again unless measures are taken to prevent it by dams and diversion projects. The Corps of Engineers is capable of determining what is necessary and that is the only way to avert another disaster such as you have had this time.

Mr. STOKES. That is correct, sir.

Senator JORDAN. They never get so big that you can't have another one just as large or even bigger.

Mr. STOKES. Both of our floods were in excess of 100-year storms and the difference in elevation in this area here (indicating), between the worst storm that ever could occur, acording to the Corps of Engineers, and what happened was barely this height of water (indicating). We lost a marina. The ocean here is a very favorite sailing area and the river course took three positions: one through the marina, one through a major generating plant of Southern California Edison, and then of course one under the bridge. We had 12 people lose their lives in our county within 1 week, and this is somewhat exceptional because there is high ground in our county and usually people move out. But these things came so quickly, this flash flood concept, that here we lost 10 people very suddenly in this area.

Senator JORDAN. Did the river empty into the ocean right there?

Mr. STOKES. Yes, sir, this is the coastline (indicating).

Senator JORDAN. Thank you.

Mr. STOKES. Well, that is essentially my presentation, Mr. Chairman. I would be happy to answer any other questions.

Senator JORDAN. I don't think I have a lot of questions. I can see very easily from your map right there.

Thank you very much, Mr. Stokes.

Mr. STOKES. Thank you.

Senator JORDAN. Does Mr. Colan have anything to add to your statement?

Mr. COLAN. Thank you, Mr. Chairman.

I would like to thank the Federal Government for the attention we have received, not only for our flood control damage but also for the oil damage. With two major floods and an oil slick in the area, as far as disasters are concerned, we hope we are finished with them. But if we do have a swarm of locusts to come later, we hope you will assist with that problem, also.

Senator JORDAN. Thank you. We will try to be helpful.

We appreciate your apearance, gentlemen.

Mr. COLAN. Thank you.

Senator JORDAN. Mr. Stokes' full statement will appear in the record at this point.

(The complete statement by Mr. Stokes follows:)

COMPLETE STATEMENT BY A. P. STOKES

ROAD RESTORATION PROGRAMS IN VENTURA COUNTY DUE TO FLOODING OF JANUARY AND FEBRUARY 1969

My name is A. P. Stokes, Road Commissioner and Engineer Manager of the Water Works, Flood Control, and Sanitation Districts for Ventura County. I am appearing before your committee today as the County Road Commissioner to urge your support in obtaining Federal funding for reconstruction of County roads damaged during the flooding and high water of January and February of this year.

Virtually all of the major roads in the County were affected by the flooding of these two separate storms. At one time, the City of Ventura was isolated to the extent that the only access was on U.S. 101 to the south. The City of Santa Paula was completely isolated due to road damages for a short period of time; and the City of Fillmore was isolated for a much longer period.

At the present time we still have ten County roads which are closed due to flood damage; and, of these ten, five are in such a condition that we cannot estimate when they will be reopened.

The total cost of resortation of the roadways in Ventura County is estimated to be approximately $3.1 million, which is in addition to the cost of debris removal and clean-up. Although the major part of this road reconstruction is eligible for reimbursement, we anticipate that the County will have to provide non-reimbursable local funds up to 20% of the construction budget for the forthcoming fiscal year.

To acquaint your sub-committee with the magnitude of the problem from a physical standpoint, the following are examples of some of the major problems within the County:

1. Santa Clara River crossings: Prior to the flooding in January and February of this year, there were five bridges across the Santa Clara River along its approximately thirty-mile length in Ventura County. Due to the high water in the Santa Clara River in January and February, the State highway bridge at Saticoy and the County bridge at Santa Paula were both severely damaged with multiple spans now missing. In addition, approaches to the Harbor Boulevard Bridge adjacent to the Pacific Ocean were damaged to such an extent that this crossing is now unusable. Hence, all traffic desiring to cross the Santa Clara River must utilize either U.S. 101 in the vicinity of Ventura, or State Route 23 in the vicinity of Fillmore. As a consequence, the traffic on the U.S. 101 bridge at Montalvo (which previously has been the point of maximum traffic volume in Ventura County) is now 50% greater, causing considerable strain on the State highway system and major traffic congestion on the County roads and city streets leading to the State highway.

2. Piru Canyon Road: Piru Canyon Road leads from State Highway 126 near the community of Piru up to a small community adjacent to the lake impounded by Santa Felicia Dam. This road traverses a rugged canyon and is essentially carved out of the side of a mountain. Due to the intensive rainfall and complete saturation of the hillside, plus the moderately high flow in Piru Creek at the base of the slope supporting the road, major sections of this roadway have slid and the lake community is virtually isolated, as there are no other roads into the area. The road is presently being used for emergency traffic; however, considerable work remains to be done before it can be considered completely restored.

3. Matilija Lake Road: This road is the only access to a small community and is carved out of the side of a mountain in very rugged terrain. Multiple major slides have completely covered the road and, in some places, the road has slid off into the canyon. Although the traffic volumes on this road and Piru Canyon Road are not particularly high, it is imperative that the road be reopened as soon as possible for access into this area.

4. Creek Road: Creek Road is a secondary access to the City of Ojai, and serves a number of ranches and residential areas along San Antonio Creek. Due to the tremendous volume and velocity of water which came down San Antonio Creek during the subject floods, Creek Road was entirely destroyed in some sections; and, although temporary access has been restored to some of the area, considerable work remains to be done to provide access to the total area, and to restore the road to a permanent condition.

These are some examples of our road problems in Ventura County, indicating some of the reasons for emergency restoration of roadways in order to reestablish the circulation in the County. Ventura County's topography is such that the roadways and waterways are quite often within close proximity to each other, and

major flooding causes serious discontinuity in the traffic circulation element. The mountain areas are extremely rugged and the roadways must follow the canyons. The Oxnard plains area, although quite flat and consequently quite easy to build roadways in, is also subject to extensive flooding over wide areas, due to the fact that there are no defined drainage channels.

Ventura County is a rapidly urbanizing County (the fastest growing County in California) and the normal need for road expenditures to keep up with the expanding urbanization taxes our local funds quite heavily. It is imperative that additional funds be provided for restoration of roads damaged during the floods so that local moneys can continue to be utilized to expand the network which existed prior to January of this year. If additional funding is not provided for the restoration of flood damaged roadways, and local funds must be expended therefor, the local construction contemplated to take care of the additional traffic load will not be accomplished, and our road program will be set back considerably.

Senator JORDAN. We will now hear from Mr. Edwin P. Benedict, assistant chief deputy road commissioner, Los Angeles, Calif.

STATEMENT OF EDWIN P. BENEDICT, ASSISTANT CHIEF DEPUTY ROAD COMMISSIONER, LOS ANGELES COUNTY, LOS ANGELES, CALIF.

Mr. BENEDICT. I am sorry, Mr. Chairman, that Mr. Mohar, our road commissioner, is not here today.

I have a report "Highways and Forest Roads Storm Damage, County of Los Angeles," that I would like to submit for the record.

Senator JORDAN. This is Los Angeles County?

Mr. BENEDICT. Yes, sir; essentially Los Angeles County.

This is a map put out by our flood control district and the county runs about 10 or 14 miles farther to the north. But this gives the general picture of our county and the mountains, and our problems are very similar to those in Ventura County, with the exception that we have considerably more people and our area south of the mountains, between the mountains and the coast, is just one solid mass of people.

Senator JORDAN. How far is Los Angeles from Ventura?

Mr. BENEDICT. It borders.

Senator JORDAN. They do border?

Mr. BENEDICT. Yes. In fact, those were our animals that Ventura received, and we didn't get back the pelts. I don't know what they did with them.

Senator JORDAN. You know how they are trying to stop them from exterminating the alligators, so I thought maybe somebody got the hides.

Mr. BENEDICT. I would like to say two things, sir. We have already identified as damage to county roads, city streets, and State highways in our county approximately $22 million, and we feel this may increase by another $10 or $12 million as earth continues to move and as our pavements are broken by the pounding of traffic on what are saturated subgrades.

Secondly, I would ike to say that considerable of the damage in our county was occasioned in our montains and within the Angeles National Forest. In our county, the roads in that forest, many of which are not on a Federal system, are essential to our people for use of the forest for recreational activities and essential to firefighting forces to control the very serious fire problem that we have in California in the summer months. We have a vicious cycle: the rains in the winter and

spring produce growth in the summer which becomes tinder dry in the fall.

Our roads are used for access to firefighting people to get up there and suppress and control fires and, as has been testified, much of the damage that occurred in Glendora was a result of the fire last fall. When the vegetation is burned off, this causes tremendous mud and debris flows to move down on our populated areas.

If there are any questions, I would be glad to answer them.

Senator JORDAN. I have your complete report here which will be considered by the committee. We appreciate it very much and we appreciate your being with us.

Your total presentation has been excellent from all the witnesses. I wish every member of the subcommittee could have been here, as far as that is concerned the full committee, but they will have full access to the material and a thorough briefing on it, I can assure you.

Mr. BENEDICT. Thank you.

Senator JORDAN. Thank you for being with us.

(Material submitted by Mr. Benedict follows:)

HIGHWAYS AND FOREST ROADS STORM DAMAGE IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

I would like to express the appreciation of the Board of Supervisors of Los Angeles County for the opportunity to appear before your Committee to discuss the extensive damage that has been sustained by our street and highway systems during the unprecedented rain storms of January and February of this year. In the unincorporated area alone, damage that has already occurred to County highways is estimated to be in excess of $10,000,000. Damage to City streets and State hgihways is estimated at almost $12,000,000. We anticipate that pavement breakup will be experienced over the next few months because of the instability of our street subgrades brought about by the sustained rainfall that may run to an additional $4,000,000 on County roads and $8,000,000 on City streets and State highways. We believe the total, County-wide street restoration costs will run to about $34,000,000 by the time the final effects of the storms have been felt. Exhibit 1 sets forth these figures.

In addition to our deep concern over the financial aspects of restoring our streets, we are faced with the problem of establishment of priorities. Our current highway construction programs are vital to our communities in meeting their ever increasing traffic requirements. We must compare the relative importance of continuing our current construction programs in relation to the need for restoration of our damaged streets. To make proper decisions we need a realistic estimate of the funds that will be available to us. Not only do we need assistance in coping with this damage, we also need to know as soon as possible what this assistance will amount to and when it might be available.

Los Angeles County, with its population of seven and one-half million people, is 4100 square miles in area, about the size of the State of Connecticut. The coastal plain, wherein most of the population resides, begins at the ocean and extends inland to the Santa Monica and San Gabriel Mountains which peak at more than 10,000 feet. Beyond the mountains are inland valleys some of which are heavily populated, such as the San Fernando Valley, but most of which are only now undergoing development such as the Antelope Valley, which you are perhaps familiar with as the site of Edwards Air Force Base.

The highly urbanized coastal plain was served well by the Flood Control facilities that have been constructed in the past. Over a 25-year period the citizens of the County of Los Angeles have expended $921,000,000 on flood control facilities in addition to the $392,000,000 expended by the United States Corps of Engineers. The wisdom of these expenditures was evident to all who were here during the rains since those improvements minimized damage to most of our heavily populated areas. In and at the foot of the mountains and in the interior valleys only limited flood facilities exist, and it is there that the record rains took their toll.

Travel across our major chain of mountains, the San Gabriels, was completely stopped during both storms and most areas of these mountains are still closed to the public. Today, 202 miles of damaged public streets remain closed to traffic. The rugged San Gabriels form the base for Angeles National Forest which covers about 25% of the area of the County. Angeles National Forest is one of the most heavily used forests in the Country on the basis of man-day use. The millions who live in Southern California are dependent on its beauty and facilities for recreational purposes. For years, the County of Los Angeles has devoted considerable of its street and highway funds to the development of public roads in the forest. Since 1955, the County has expended nearly $16,000,000 on these facilities. During this same period of time expenditures by the Federal Government for public roads exclusive of freeways amounted to about $3,500,000. We have made this heavy investment to meet the needs of our residents. When we will be able to reopen the area will depend on the amount of funds that we are able to assign to restoration of the flood damage. The pictures contained in Exhibit 2 depict damage to public roadways within our mountains and the National Forest.

Along the foothills of the mountains severe damage was experienced as the waters poured from the steep terrain and deep canyons. As the floods moved from the foothills to the Flood Control facilities in the coastal plain, damage diminished rapidly. Exhibit 3 contains pictures of the damage to both public and private property in our urban areas situated along the foothills.

These foothill area problems are compounded by a vicious cycle of fires in the summer and rains in the winter. The growth which covers our montainous areas becomes tinder dry in late summer, since usually our last rainfall is received in April or early May. Each year forest fires occur which are brought under control by fire fighting crews who utilize the system of public paved roads to gain access to the fire roads which have been constructed throughout the forest. In addition, the paved roads serve as permanent fire breaks and as assembly points at which forces are marshaled for stands which usually result in containment of the fire on that front.

Last summer the fires above the foothill communities of Glendora and Azusa in the San Gabriel Valley denuded the slopes of protective growth. The extensive damage which occurred to private homes and other private property this winter was to a great part brought about by the mud and debris that moved from the burned areas of the mountains as the heavy rains fell. Exhibit 3 depicts some of the structures situated below the fire areas that were filled with mud.

At the height of the storms, over 1,000 men and up to 800 pieces of equipment, valued at about $7,000,000, were strategically dispersed just by the County Road Department to provide protection. In spite of this massive effort, the mud laden storm waters spread over many areas and damage occurred which was beyond the control of any efforts which might have been made.

This year's heavy rains are creating luxurious growth which will become highly combustible in the fall. If our streets are not restored by then, the fire hazard will be greatly increased. Fires this summer followed by rains next winter can bring a repetition next spring of the mudslides along the foothill communities. A key element to the breaking of this cycle is the restoration and expansion of the mountain road system.

In the inland valleys, excluding the San Fernando Valley where flood control facilities exist, considerable damage was sustained. In the Antelope and Santa Clara Valleys tremendous volumes of water poured from the mountains and spread over large areas, cutting new channels and destroying existing streets and bridges with abandon. The pictures contained in Exhibit 4 exemplify this damage.

While the storm damage is generally limited to unincorporated areas and to those of our 77 incorporated cities which lie along the foothills, the financial impact will be felt by each and every citizen throughout the County. Our coastal urban area is essentially one solid mass of people. One city borders on another or perhaps on an unincorporated, urban County island. Our cities are not separated by farms or open spaces and the problem of one is the problem of all, whether it be sewers, smog or streets.

In our County we approach our road programs on a County-wide basis. In 1941 the County and its cities adopted a County-wide Master Plan of Highways which has been maintained as a viable document by continuous cooperation between all jurisdictions. This Master Plan, which is reproduced in Exhibit 6, represents the major surface streets which exist or which are required to serve the needs of our people. Its development is approached on a County-wide basis

through cooperative improvement programs which are developed by the County and its cities. A reassignment of the funds earmarked for our current urban area street improvement programs to the restoration of storm damaged facilities will result in a County-wide slowdown of needed improvement projects. Additionally, pavement breakup will be experienced throughout the County since the road subgrades throughout the area are soaked. Exhibit 5 depicts the post storm failures that we anticipate as traffic pounds our weakened pavements.

After the January rain, review teams of Federal, State and local officials were organized to appraise the damage. These reviews were underway when the February storms hit. We are now again engaged in the review process. The estimates that I have given you concerning the damage which we have experienced is in agreement with the findings of the review teams as far as the reviews have gone. I believe our estimates are reasonably correct both as to the damage that has already been evidenced and to the damage that we anticipate from subsequent pavement breakup. Currently, the County and its cities have applied to the State Disaster Office for almost $17,000,000 on the basis of damage to roads resulting from both the January and February storms.

We would be most appreciative of any assistance that you can give us in the restoration of our street systems and any guidance that we can receive as to the amount of funds that may be available and as to when we might receive them. I again wish to thank you for this opportunity to meet with you and to offer our cooperation in any way to assist in the gathering of facts for your consideration.

EXHIBIT 1

DAMAGE TO ROADS IN LOS ANGELES COUNTY

I. ALREADY IDENTIFIED

	Federal system	Local system	Total
State highways	$5,000,000		$5,000,000
County roads	1,800,000	$8,300,000	10,100,000
City streets		6,700,000	6,700,000
Total	6,800,000	15,000,000	21,800,000

II. ANTICIPATED ADDITIONAL OVER THE NEXT FEW MONTHS DUE TO LONG-TERM SATURATION OF SUBGRADES

	Amount
County	$4,000,000
City and State	8,000,000
Total	12,000,000

INDEX OF PHOTOGRAPHS

Exhibit:	*Location*
2a	Angeles Forest Highway.
2b	Shinn Road at San Antonio Creek.
2c	Bouquet Canyon Road at Bouquet Creek.
2d	Big Tujunga Canyon Road near Sam R. Kennedy Bridge.
2e	Old Sierra Highway near Acton.
3a	Rainbow Drive in Glendora.
3b	Do.
3c	Do.
3d	Old New York Drive at Eaton Wash.
3e	Foothill Boulevard at Big Tujunga.
4a top	70th Street East south of Avenue N–8.
4a center	70th Street East south of Avenue K.
4a bottom	100th Street East south of Avenue J.
4b top	100th Street East north of Avenue N.
4b center	100th Street East south of Avenue L.
4b bottom	80th Street East south of Avenue L.
4e	Avenue T at Littlerock Creek.
5 top	Flintridge Avenue north of Robin Hill Road.
5 center	Lopez Canyon Road north of Bailey Road.
5 bottom	Flintridge Circle east of Flintridge Avenue.

EXHIBIT 2—DAMAGE TO ROADS IN MOUNTAINS AND ANGELES NATIONAL FOREST

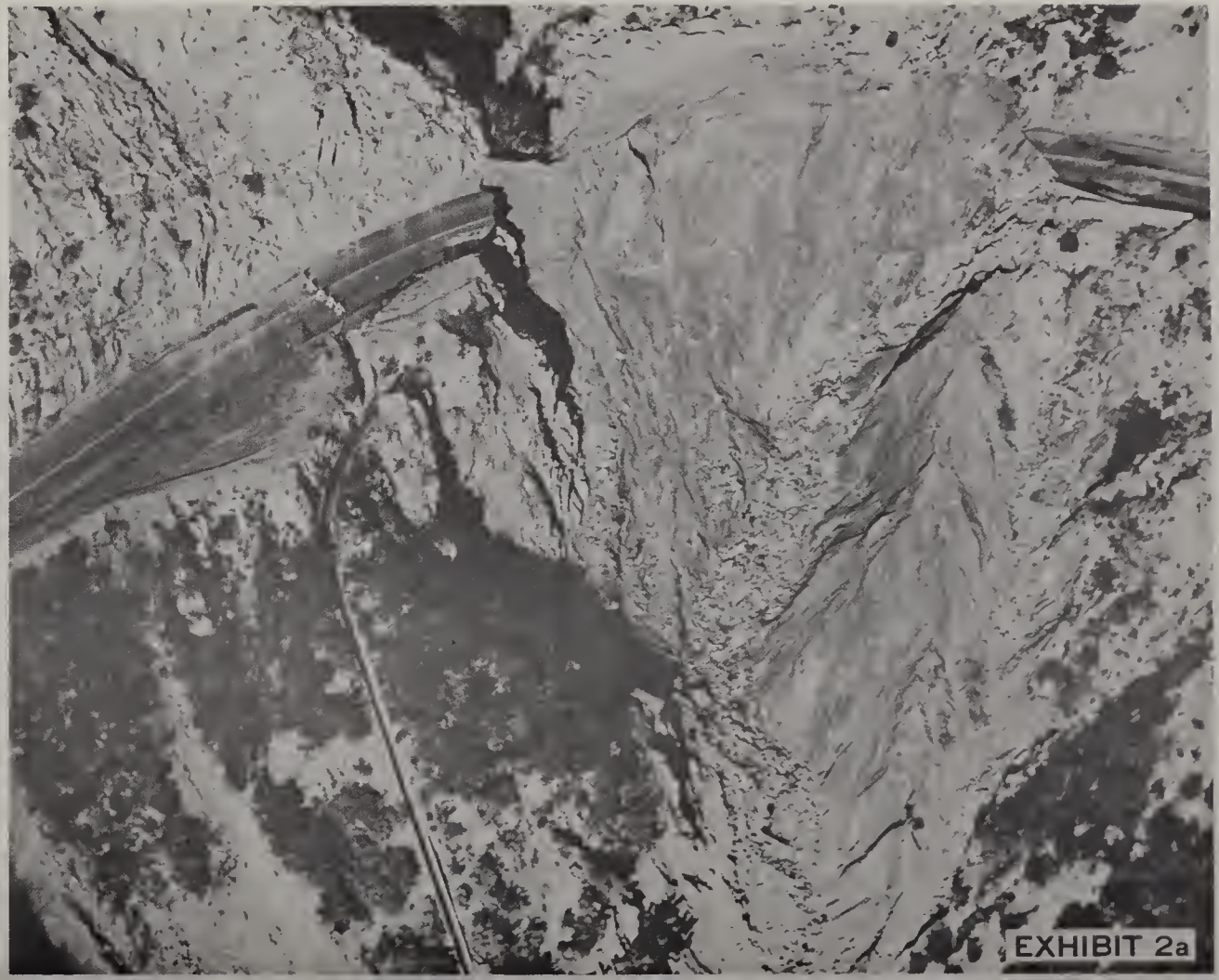


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EXHIBIT 2c

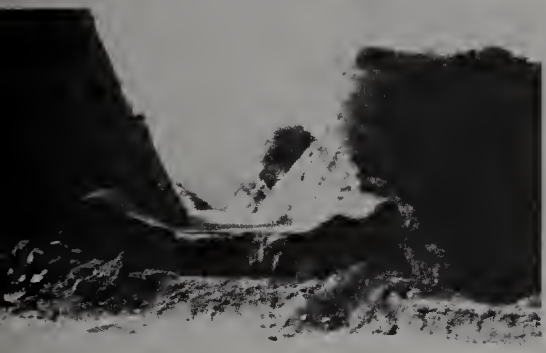


EXHIBIT 2d

EXHIBIT 2e

EXHIBIT 3—DAMAGE TO ROADS AND PRIVATE PROPERTY IN FOOTHILL AREAS

EXHIBIT 3a

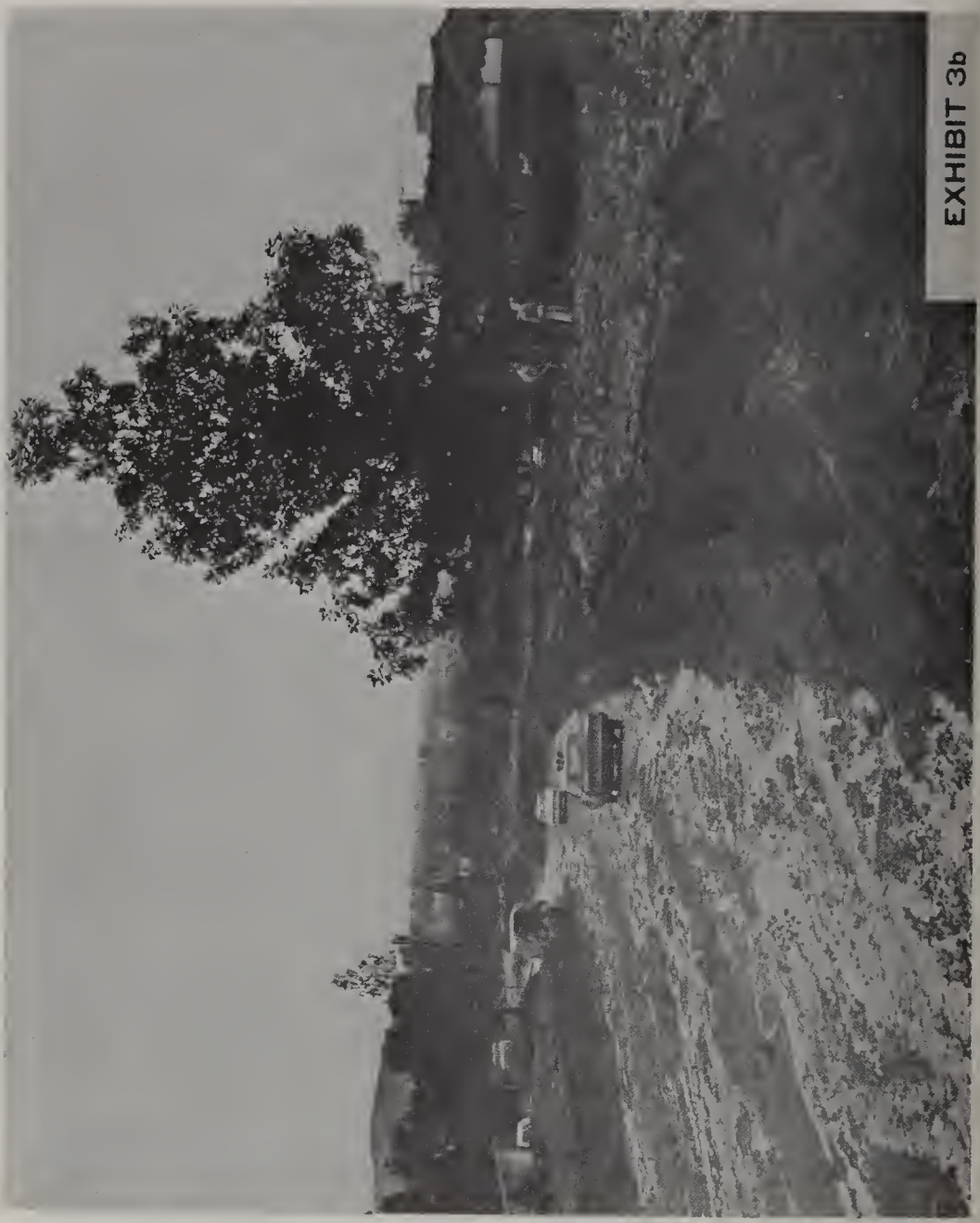


EXHIBIT 3b

EXHIBIT 3c

EXHIBIT 3d

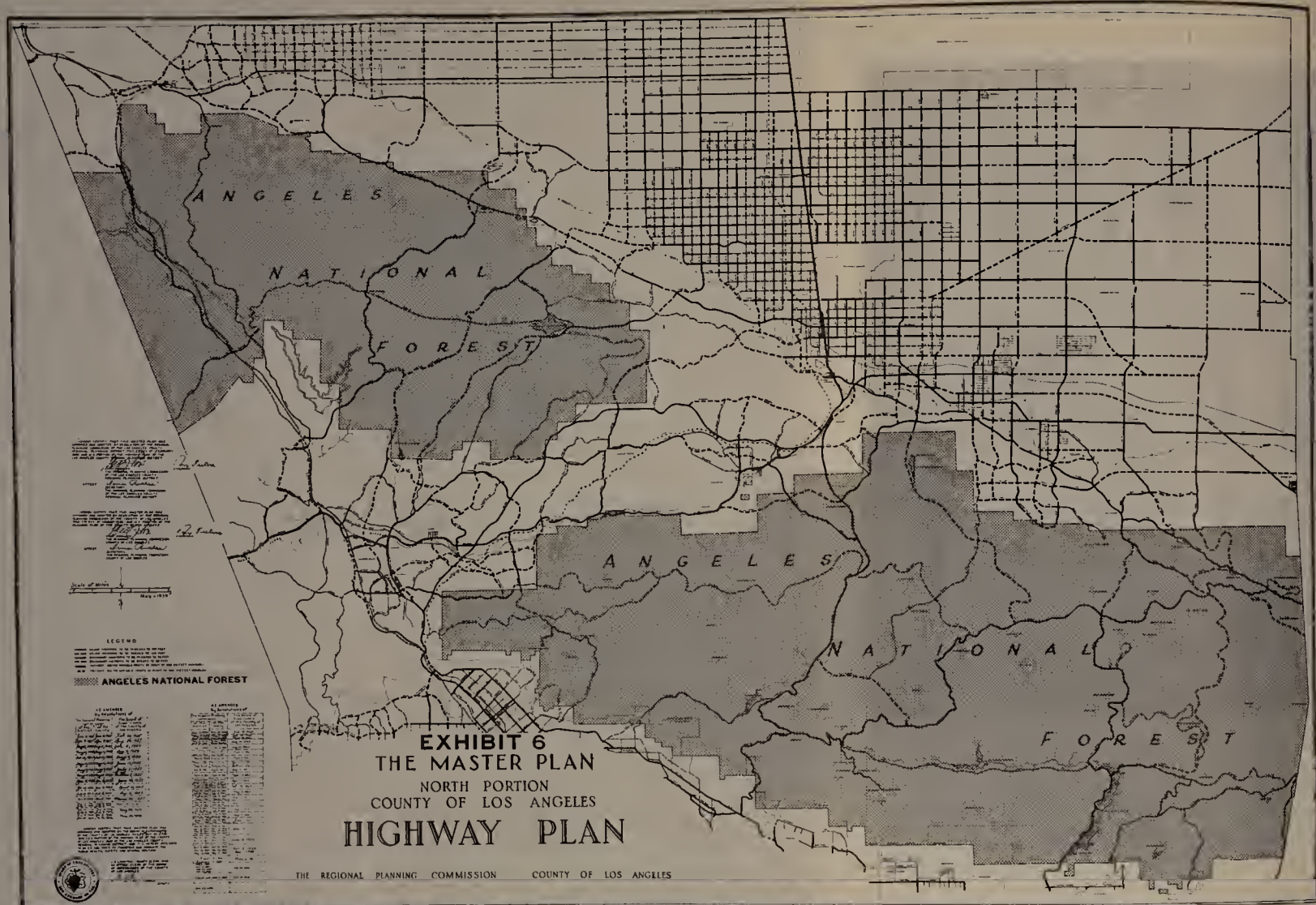
EXHIBIT 3e

EXHIBIT 4— DAMAGE TO ROADS IN INLAND VALLEYS

EXHIBIT 4a

EXHIBIT 4b

EXHIBIT 4c


ANGELES
NATIONAL
FOREST
ANGELES
NATIONAL
FOREST
LEGEND
ANGELES NATIONAL FOREST
EXHIBIT 6
THE MASTER PLAN
NORTH PORTION
COUNTY OF LOS ANGELES
HIGHWAY PLAN
THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

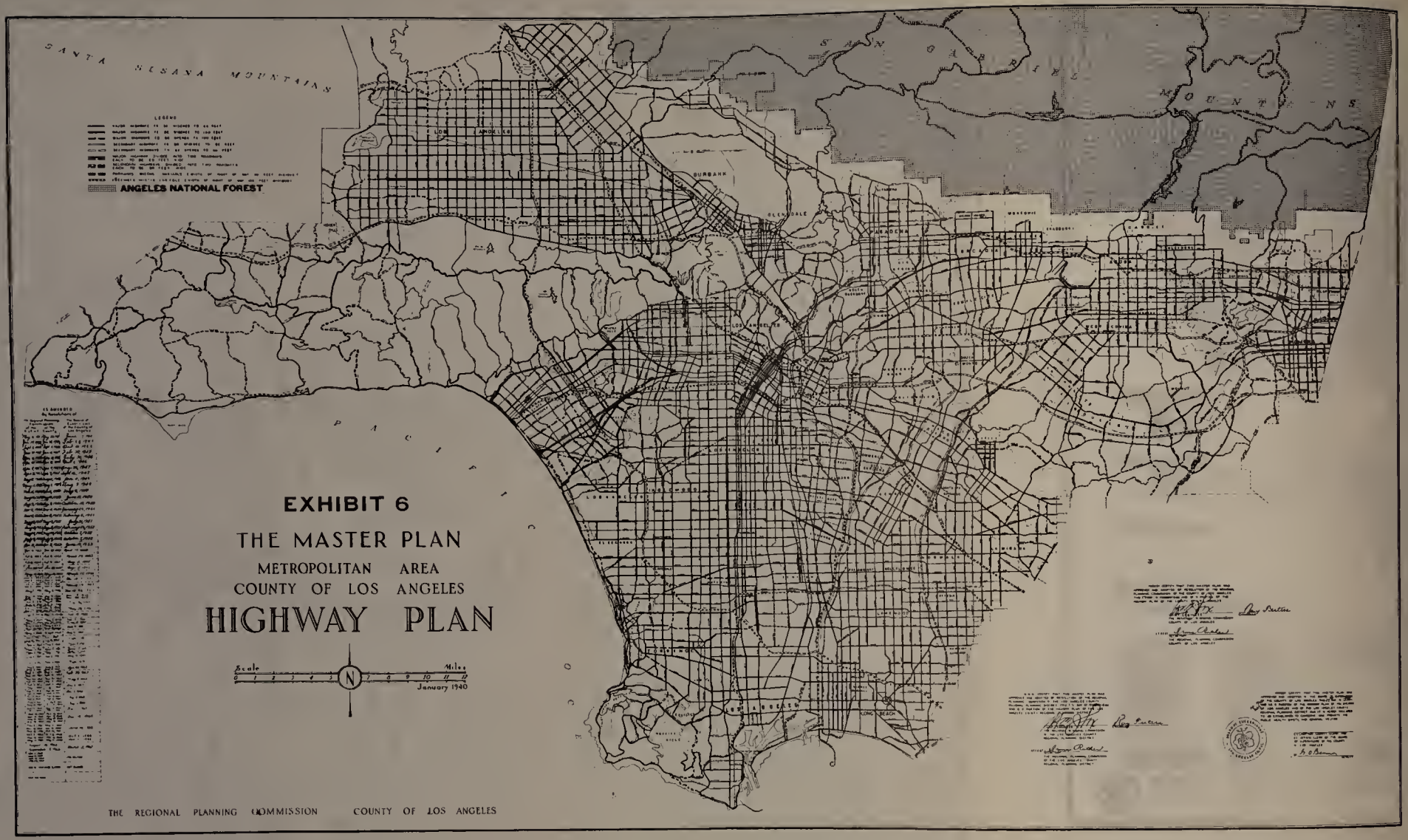
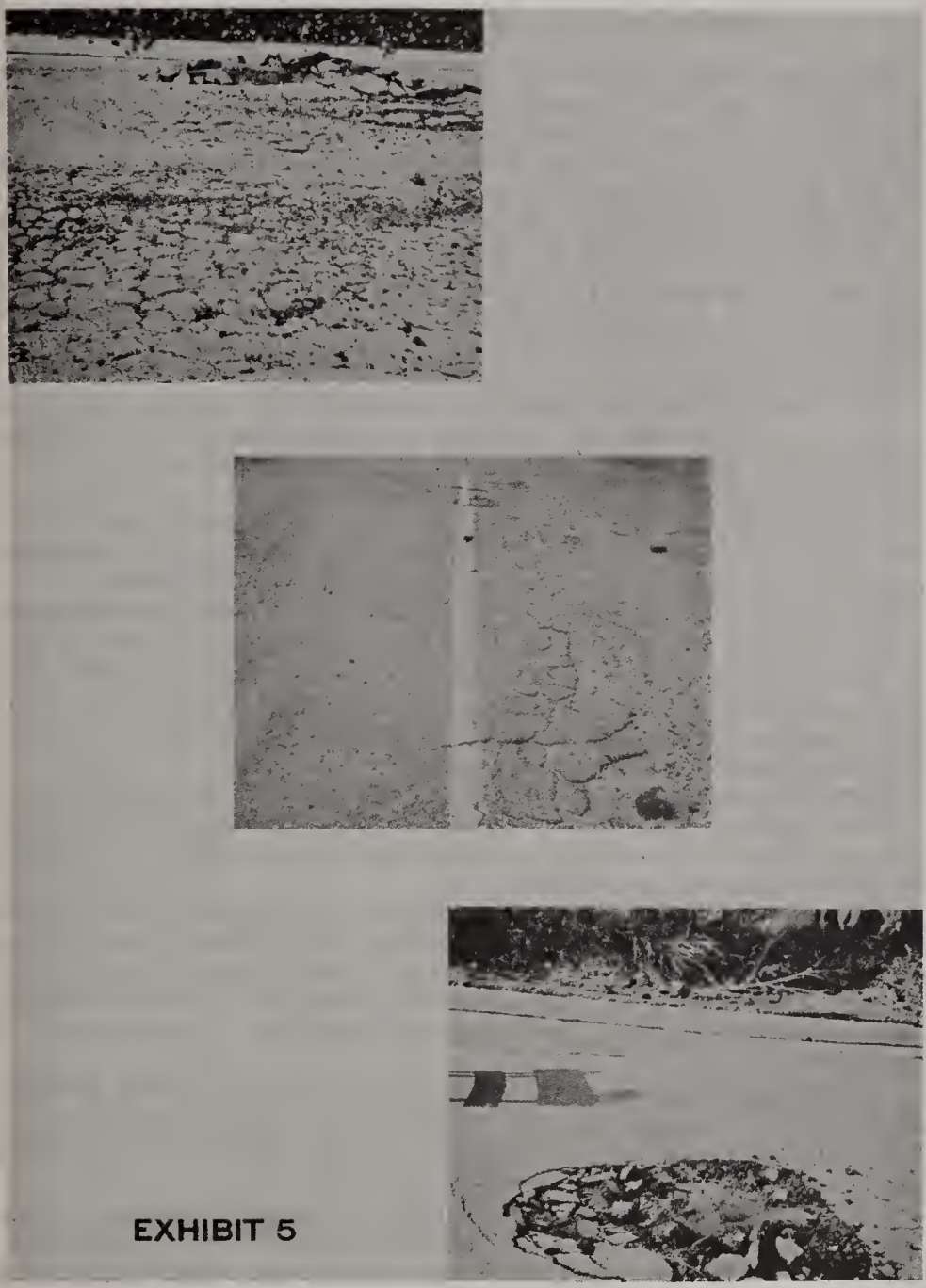

SANTA SUSANA MOUNTAINS
SAN GABRIEL MOUNTAINS
PACIFIC OCEAN
LOS ANGELES
BURBANK
GLENDALE
PASADENA
LONG BEACH
ANGELES NATIONAL FOREST
EXHIBIT 6
THE MASTER PLAN
METROPOLITAN AREA
COUNTY OF LOS ANGELES
HIGHWAY PLAN
Scale
Miles
January 1940
THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

EXHIBIT 5—PAVEMENT BREAKUP DUE TO SATURATED SUBGRADES



Senator JORDAN. Our next witness is Mr. Raymond Seeley.
Mr. Seeley, you may proceed as you wish.

STATEMENT OF RAYMOND T. SEELEY, CHAIRMAN, RIVERSIDE COUNTY, CALIF., BOARD OF SUPERVISORS

Mr. SEELEY. Mr. Chairman, in the interest of time my report only includes damage done to roads in Riverside County. I am sorry that I don't have any stories to tell you about the hippopotamus and alligators. I can assure you had they come into our county during the height of the storm they couldn't have survived.

Mr. Chairman and members of the committee, first let me express my appreciation on behalf of the people of Riverside County for your giving me the opportunity to testify before this Subcommittee on Roads concerning the considerable damage inflicted on streets, roads and highways within Riverside County and its cities during the recent rainstorms and floods.

We fervently hope that your subcommittee will act favorably and speedily on Senate bill 993, and that you will transmit your findings to the Committee on Public Works with a sense of urgency and a request for expediency in bringing this bill into law.

In the aggregate, Riverside County has sustained some $35,600,000 in damage to public and private property. Of this, some $2,798,000 in damage has been inflicted on streets, roads, and highways alone.

I must explain here that any of these figures are subject to adjustment—upward. Only now have we been able to get to some of our secondary roads in the more rural areas to assess their condition. The prolonged wetness, most unusual for southern California, I assure you, has adversely affected many roadbeds and bases so that we may be feeling the effects for months to come.

Our best present figures, however, indicate that of the $2,798,000 in road damage cited above, $1,645,000 has occurred in the unincorporated areas of the county and the remaining $1,153,000 within the corporate limits of our 16 cities.

Again to disect these figures somewhat, of the total of $2,798,000 road damage, $1,080,000 is to the Federal Aid System roads in the county and cities. We are advised that these costs will now be 100 percent reimbursable to local jurisdictions from the Bureau of Public Roads. Heretofore, these had been reimbursed at a maximum of 59 percent.

Of the remaining $1,401,000—and all of these estimates are set forth in the table accompanying my testimony—is reimbursable, up to a point, one under Public Law 81–875. About $317,000 is presently unreimbursable under any existing program.

Although it takes dollars to replace and repair damaged roads, dollars alone are not the whole measure of the damage suffered. During the two extreme emergency periods of these recent storms, first on the night of 25–26 January and again on the night of 24–25 February, every north-south road in Riverside County bisected by the Whitewater River was closed to all traffic.

This meant, as an example, that a person going from Desert Hot Springs to Palm Springs, two of the incorporated cities in the county, had to travel a total of 65 miles rather than the usual 13.

Washouts varied in length from 150 feet to 5,000 feet. Washouts occurred from the extreme west end of the county down into the lower end of the Coachella Valley—a distance of about 100 miles. Debris clearance to county roads alone will amount to some $116,526.

Damage to one County road at the eastern edge of the San Gorgonio Pass is so extensive as to render rebuilding at the same location infeasible. The road was completely destroyed for eight-tenths of a mile together with a low flow stream crossing. Another in the Elsinore Valley is a complete loss. What was once a street is now a gully. The single most extensive restoration will be that of the Airport Boulevard Bridge in the Coachella Valley. The estimated cost is $96,000. This bridge, which serves the east side of the valley, is one of only three bridges crossing the Whitewater River between Indio and the Salton Sea and the only county bridge so situated.

While Riverside County's economy is diversified, a major portion of it is dependent upon adequate over-the-highway transportation. Our streets, roads, and highways are vital to our economic health. We urge you, gentlemen, to favorably and expeditiously consider Senate bill 993.

Thank you for permitting me to testify before your subcommittee.

I might add that if you have any questions, I would be glad to answer them, and if you care to have a report on further damage done to other avenues of economic value, we would be glad to furnish them to your committee.

Senator JORDAN. You may send anything you like. The committee would be glad to have it.

(The table submitted by Mr. Seeley follows:)

ROAD DAMAGE TABLE

Jurisdiction	FAS roads	Other roads	Total
Banning	$1,782	$13,629	$15,411
Beaumont	1,924	924	2,848
Cabazon		120,394	120,394
Corona	3,500	86,357	89,957
Desert Hot Springs	1,500		1,500
Elsinore		8,500	8,500
Indio	12,930	78,730	91,660
Norco	1,155	126,408	127,563
Palm Springs	3,491	28,850	32,341
Perris		5,615	5,615
Riverside	550,000	88,000	638,000
City Totals	576,282	557,407	1,133,689
Beaumont Irrigation District		15,000	15,000
Desert Water Agency		3,439	3,439
District totals		18,439	18,439
County roads	503,785	1,142,165	1,645,950
Total	1,080,067	1,708,011	2,798,078

NOTE.—Does not include costs of debris clearance and emergency safety measures which amount to:

Cities listed	$153,174
Districts listed	84,501
County	137,803
Total	375,478

Senator JORDAN. Mr. Seeley, I judge that your county is not principally an agricultural county.

Mr. SEELEY. It is principally agricultural.

Senator JORDAN. It is? When you said you had 16 cities in the county——

Mr. SEELEY. That is right.

Senator JORDAN. What cities are these?

Mr. SEELEY. Well, Riverside County is our largest city. I think probably the one you would be most familiar with would be Palm Springs, which is in my district, and it is on the east side of the mountain slopes, and we suffered some damage there because of its being close to the mountain. However, the desert area as a whole suffered very little damage other than the storm channels.

Senator JORDAN. How far are you from Los Angeles County?

Mr. SEELEY. We are almost inside. We have four counties that come together at one point pretty close.

Senator JORDAN. You are not near Ventura, either, are you?

Mr. SEELEY. No. Ventura is the north side of Los Angeles County from us.

Senator JORDAN. So all this flood damage is really all in one area.

Mr. SEELEY. It is all southern California.

Senator JORDAN. Thank you very much. We appreciate your testimony.

Mr. SEELEY. Thank you, Mr. Chairman.

(The following report was received and ordered to be included:)

REPORT ON FLOOD DAMAGE, JANUARY 17–MARCH 5, 1969, RIVERSIDE COUNTY CALIF.

(Prepared by Riverside County Office of Disaster Preparedness, April 2, 1969)

On 26 January 1969, following similar actions on the part of local jurisdictions and the State, the President proclaimed a major disaster covering 36 counties, including Riverside, in California. This designation of a major disaster was made retroactive to 17 January and was not officially terminated until 5 March 1969.

In the course of the several major storms, most notably on 25–26 January and again on 24–25 February, that occurred during this 49-day period, Riverside County sustained some $35.6 million in damage to public and private property.

This report deals with this dollar loss in a series of categories somewhat, but not totally, related to sources of federal reimbursement. Those under Public Law 81–875 administered by the Office of Emergency Preparedness (OEP), are Debris Clearance; Protective, Health and Sanitation Measures; Streets, Roads and Bridges; Dikes, Levees and Drainage Facilities; Public Buildings and Related Equipment; and Public Utilities. In addition, Federal Aid System roads are identified separately since reimbursement of repair and restoration costs for them is administered by the Bureau of Public Roads (BPR). Finally, in the public sector we lump the costs which are not eligible for reimbursement under any existing Federal or State programs. This latter will include damage estimates as well as non-reimbursable out-of-pocket expenses incurred by local jurisdictions.

Damage to the private sector is not as readily estimated but certain indicating statistics are included to outline the scope of the dollar loss.

In every case the figures cited in the text of this report and in the table which accompanies it are the best estimates available as of this writing. They will vary both up and down as restoration, repair and replacement progresses but in most cases will be within 10% of the final figures.

Three jurisdictional segments are identified in assessing damage to public property—the 11 incorporated cities of the County which have incurred reportable damage, ten special law districts similarly affected, and County departments which have reported losses.

1. DEBRIS CLEARANCE

The Cities have spent or are spending $76,973 for debris clearance from streets, buildings, storm channels, etc. This varies from $35,000 for Corona to an even thousand dollars for Elsinore. The districts estimate $105,436 for this with the

bulk of it ($94,400) attributable to the Coachella Valley County Water District. primarily for removing silt and debris from storm channels. The County Road Department estimates $119,026 for debris clearance, most of which was for removing rock, sand and silt blocking roadways, driveways and rainage structures. In the Glen Ivy, Murrieta and Soboba Springs area mud removal was a major factor. Total cost of debris removal is estimated to be $301,435.

2. PROTECTIVE, HEALTH AND SANITATION MEASURES

Totally, across the County these measures have cost, or will cost, over a million dollars. These measures include emergency barricading of streets, sand-bagging, rescue operations, health and building safety inspections and emergency repairs and reinforcements.

The Cities expended or encumbered $80,501 for these purposes and because of the recurring storms it was necessary to re-do again in February what, in many instances, had been done in January.

The Coachella Valley County Water District, in its flood control role, and the Riverside County Flood Control District were the big spendors in this category. Coachella Valley authorized almost a million dollars for emergency repairs, reinforcement and construction of dikes and temporary dikes along flood channels. County Flood Control spent or expended over $67,000 for similar work.

County Departments spent or incurred out-of-pocket expenses totaling $18,777 for these purposes. All in all, this category of operations amounted to $1,201,962.

3. STREETS, ROADS AND BRIDGES

In the body of this report we shall combine discussion of streets, roads and bridges coverable under programs administered by OEP and BPR with those not presently coverable under any current programs. In the table accompanying this report these categories are separately identified.

Total damage in Cities and out and regardless of whether repair or restoration costs are reimbursable, amounts to $2,844,483. (Note: The difference between this total and the $2,798,000 reported to the Senate Subcommittee on Roads reflects an upward revision of $46,405 by the City of Cabazon.)

Roughly $1½ million of this is coverable under the provisions of Public Law 81–875. The balance represents damage to Federal Aid System roads or damage for which there is no recovery of funds.

Although it takes dollars to replace and repair damaged roads, dollars alone are not the whole measure of damage suffered. During the two extreme emergency periods of these recent storms, first on the night of 25–26 January and again on the night of 24–25 February, every north-south road in Riverside County bi-sected by the Whitewater River was closed to all traffic.

Washouts varied in length from 150 feet to 5,000 feet. Washouts occurred from the extreme west end of the County down into the lower end of the Coachella Valley—a distance of about 100 miles. Debris clearance to County roads alone will amost to some $116,526.

Damage to one County road at the eastern edge of the San Gorgonio Pass is so extensive as to render rebuilding at the same location infeasible. The road was completely destroyed for eight-tenths of a mile together with a low flow stream crossing. Another in the Elsinore Valley is a complete loss. What was once a street is now a gully. The single most extensive restoration will be that of the Airport Boulevard Bridge in the Coachella Valley. The estimated cost is $96,000. This bridge, which serves the east side of the Valley, is one of only three bridges crossing the Whitewater River between Indio and the Salton Sea and the only County bridge so situated.

Major loss in the cities occurred in Riverside with the loss (in the first storm) of the approach to the Van Burean Bridge and subsequently (in the second storm) loss of one span of the bridge. Damage to this facility alone is estimated at half-a-million dollars. Total damage to city streets amount to $1,180,094.

4. DIKES, LEVEES AND DRAINAGE FACILITIES

This, by far, represented the greatest damage sustained to public property in Riverside County amounting to $4,840,617. Almost $3½ million of this was reported by the Coachella Valley County Water District which has, by resolution, requested OEP to assign a Federal agency to effect the restoration. Second largest claimant in this category is the Riverside County Flood Control District

which estimates its damage to such facilities at $859,025 and has requested OEP to cover 13 out of 24 projects by direct assignment of a Federal agency.

The major loss to Cities in this category was in the City of Riverside which estimates its damage to be $237,000. Of this amount, $200,000 is attributable to a single project—restoration of headworks and barriers protecting the City's sanitary landfill. The total in all Cities for this category is $396,347.

County loss in this category is on a minor order—amounting to $11,495 for restoring facilities which protect the water source at Twin Pines Ranch. Although this is minor in terms of dollars, the facility itself is of major importance to the Ranch, which is the County's farm-type facility for male juveniles.

5. PUBLIC BUILDINGS AND RELATED EQUIPMENT

Because of the nature of the flooding experienced during this period, damage to buildings was quite light. The total for the County, Districts and Cities amounts to only $20,255. Typical of the damage was the flooding of the boiler basement at Twin Pines Ranch with resultant damage to the boiler and burners. Not so typical was the loss experienced by the City of Cabazon which saw its city yards flooded by the San Gorgonio River with a motor sweeper, dump truck and related equipment washed away.

6. PUBLIC UTILITIES

Loss to publicly owned public utilities amounted to over $1 million. The bulk of this ($916,000) was sustained by the City of Riverside with most of its attributable to losses in the sewer system, including sewer trunk lines, clarifiers and fillers. The City also sustained considerable damage to its water system and somewhat less to its electric power distribution system. Also experiencing severe damage in this category were the cities of Banning and Corona. Banning sustained $60,996 to its water and power systems. Corona had $33,929 in damage and at one point had to resort to civil defense quick-coupling over-the-ground pipe to continue water service in a portion of the City.

The Beaumont Irrigation ($50,000), Jurupa Community Services ($31,700) and Valley Sanitary ($16,360) were the districts principally affected in this category. Total for all districts was $112,035.

County's loss in this category was only $2,760, all of it to the water system for Twin Pines Ranch.

Damage to privately owned and operated water companies was widespread and extensive. No consolidated estimate is yet available. The two major nonwater utilities in the County, Southern California Gas and Southern California Edison, reported damages of $100,000 and $125,000 respectively.

7. INELIGIBLE COSTS AND DAMAGE

By definition, Public Law 81–875 only concerns itself with "essential services" and specifically exempts certain out-of-pocket expenses, such as administrative costs, from reimbursement. These costs and damages, on a very conservative basis, amount to over a half-million dollars with the bulk ($380,921) of it being experienced by the County.

Principal items for the County are certain roads and road restorations not covered either by OEP or BPR programs, loss to parks and parks equipment, which are not considered an "essential service", and unreimbursable out-of-pocket expenses of the Sheriff's Department.

Amongst the Cities, Palm Springs has the highest estimate ($87,000) which primarily concerns damage to the municipal golf course. The Coachella Valley County Water District is the only district that listed ineligible public property damage.

Another facet of public property damage which vitally affects the County is the $1.2 million in damage to roads, forest trails, public recreation facilities, soil and water improvements, emergency fire prevention and wildlife incurred in the San Bernardino National Forest, a major portion of which lies in Riverside County.

8. PRIVATE PROPERTY DAMAGE

A dollar-figure total assessment of private property damage which is meaningful is virtually impossible to achieve at this time and may very well continue to be for the foreseeable future.

A cross-check of sources and indicators projects a loss in the neighborhood of $25 million in terms of physical damage and loss of income within the private sector. Three separate categories have been considered in reaching this figure: loss to homes, loss to business and industry, and loss to agriculture. Contingent and collateral losses to business, industry, and agriculture may continue for some time.

Among the indicators of private loss is the experience of the Small Business Administration for this County. As of 20 March 1969, the latest date for which consolidated figures are presently available, the SBA has over a half-million dollars pending in home and small business loans. That this sum is only a beginning can be seen from the following: Only 65 loan applications had been returned by 20 March with the average loan request being for $8,623. There have been an additional 246 applications issued. If only 90%, or 221, of these are returned at the average cited above the SBA loan figure will be $2,466,154.

Another indicator in the private damage sector concerns applications to the American National Red Cross for disaster grants. Between 27 January and 26 March the Red Cross processed 318 grants for a total of $86,000. Disaster relief officials estimate this will, conservatively, top $100,000 by the time casework is completed.

Not all losses which come to the attention of the Red Cross result in grants or even in requests for grants. Based on information then available through personal observation of Red Cross staffers, the Chapter Manager at the end of February estimated that some 250 families in the City of Riverside had experienced $625,000 loss to household furnishings, clothing and food; $250,000 to dwellings; and $125,000 to automobiles.

Still another indicator is a report from the County Building and Safety Director who assigned building inspection teams to damage assessment on 25 February. These teams viewed 588 structures (homes, businesses and industries) for a damage estimate of $4,388,500. These inspectors reported that 90% of these were private residences.

Agricultural losses have been rather finely drawn by now so that the Agricultural Commissioner is able to report a total estimate of $2,437,755, broken down as follows:

Crop, fish, and animal losses	$325,150
Buildings, fencing, and equipment	784,080
Private roads	53,500
Erosion	1,273,775
Miscellaneous	1,250

The Commissioner notes that there may be additional damage from erosion and loss of trees in the Gavilan Hills citrus planting where springs have suddenly appeared.

A final indicator in attempting to determine private property losses is the requests received by the Assessor for re-assessment of property, both land and improvements, damaged in the disaster. This is an on-going, but time consuming, program so that only fragmentary reports are yet available. As of this writing, the following losses in *assessed* value (25% of face market value) have been computed:

Palm Springs-Indio area	$10,540
Corona-Riverside area	713,390

Of particular note is the fact that there are several already identified large business properties in the Corona-Riverside area, e.g. Glen Ivy Hot Springs, which have not yet been re-assessed.

In summation, the remarkable, almost miraculous, part of this disaster is that in spite of the extensive and wide-spread nature of the damage to property only four lives were lost. Two of these were directly attributable to the flood waters, the other two only contingently so since they were vehicular accidents which, presumably, happened because of the hazardous traffic conditions. Roads can be repaired, dikes repaired, channels re-dug, utility lines replaced, buildings restored—but lives cannot be replaced. Riverside County is indeed fortunate to have come through these 49 days relatively unscratched in human loss.

	Debris clearance	Protective, health and sanitation measures	Streets, roads, and bridges	Dikes, levees, and drainage facilities	Public buildings related equipment	Public utilities[1]	Federal aid system roads	Ineligible public property	Public property total
Banning	11,182	952	13,629	39,482	307	60,996	1,782	500	128,830
Beaumont	1,907	1,531	924		2,048		1,924		8,334
Cabazon	8,029	19,421	166,799		2,000			4,000	200,249
Corona	35,000	24,239	86,357	116,475	2,000	33,929	3,500	30,500	332,000
DHS	800						1,500	1,000	3,300
Elsinore	1,000	150	8,500					47,970	57,620
Indio		3,050	78,730			6,100	12,930		100,810
Norco	7,520	6,058	126,408	250			1,155		141,391
Palm Springs	2,110		28,850	2,940		1,050	3,491	87,000	125,441
Perris	1,425	100	5,615	200				15,000	22,340
Riverside	8,000	25,000	88,000	237,000		916,000	550,000	15,000	1,839,000
Cities	76,973	80,501	603,812	396,347	6,355	1,018,075	576,282	200,970	2,959,315
CV Co Wtr	94,400	995,000		3,471,705				30,000	4,591,150
Cabazon Co Wtr		8,193		102,000					110,193
Home Gardens Sanitary		1,303				1,350			2,653
Jurupa CSD						31,700			31,700
Beaumont Ir	10,000	20,000	15,000		7,500	50,000			102,500
Desert Water Agency	1,036	8,465	3,439			8,312			21,252
DHS Co Wtr						1,200			1,200
Elsinore Valley MWD						3,113			3,113
Riv. Co Flood Control		67,600		859,025					926,625
Valley Sanitary		2,123				16,360			18,483
Districts	105,436	1,102,684	18,439	4,432,775	7,500	112,035		30,000	5,808,869
Buildings and safety		2,241						762	3,003
Car pool		1,037							1,037
Disaster preparation								1,500	1,500
Health		1,420						71	1,491
Parks								34,294	34,294
Road	119,026	8,492	823,502				503,785	317,228	1,772,033
Sheriff		5,587						27,066	32,653
Twin Pines			1,435	11,495	6,400	2,760			22,090
Departments	119,026	18,777	824,937	11,495	6,400	2,760	503,785	380,921	1,868,101
Total	301,435	1,201,962	1,447,188	4,840,617	20,255	1,132,870	1,080,067	611,891	10,636,285

[1] Districts and city owned only.

RECAPITULATION

Public:		Private:	
Cities	$2,959,315	Agriculture	$2,437,755
Districts	5,808,869	Business/Industry	6,757,788
County	1,868,101	Homes	15,768,172
Total	$10,636,285	Total	$24,963,715
Grand total			$35,600,000

Senator JORDAN. At this time I would like to include in the record a statement received from Congressman Pettis.

STATEMENT OF THE HONORABLE JERRY L. PETTIS, A U.S. REPRESENTATIVE FROM THE STATE OF CALIFORNIA

Mr. Chairman, I would like to express my gratitude and that of the people of my district to this distinguished committee for its consideration of the problems arising out of the disasters California has experienced this year. My district, which includes most of San Bernardino County was particularly hard hit. The floods of January and February must be regarded as the worst natural disaster ever suffered by the people of my district.

I will have to qualify that statement somewhat—the two big storms of January and February of this year wrought the greatest havoc ever caused by the elements in San Bernardino County's history—in terms of dollar loss. The damage estimate now in both the public and private sectors totals more than 53 million dollars, and that figure is still climbing. No other disaster we have ever experienced comes close to that. The total damage caused by the devastating 1938 flood was 12 million dollars, although if that were to be adjusted to the present-day value of the dollar, it might approach the impact of the 1969 losses.

Fortunately, our recent floods did not result in a record loss of life. Fourteen deaths were attributed directly to the 1938 flood in San Bernardino County, compared with nine deaths this year, despite the fact that water flows equalled that of 1938 in many streams, and even exceeded them in some. And the population of the county has increased five fold in that 30-year interval.

The point I would like to make here is that we have had this year storms comparable to those of 1938, yet fewer persons lost their lives although five times as many people were living in the path of the flood. We can attribute this in large measure to the flood control works completed and in operation in my district since 1938. Without those works, it is reasonable to estimate that 70 to 100 persons would have died in the January and February storms. We can talk about the value of flood control works as investments that are quickly repaid in dollar savings, after they handle efficiently the runoff from a couple of storms, and this is very true. But you can't measure the true value without considering the life saving aspects of flood control, nor the terrible disruption of the lives of those individuals whose homes are damaged or destroyed without flood control.

I intend to point out later in this statement exactly how valuable to the people of my district flood control projects could be the next time we have a similar storm and how much money we would *not* have to ask from the Federal government, to rebuild roads and bridges, and to finance low interest loans to repair and rebuild homes, farms and businesses. However, I realize the legislation this committee is presently considering is specifically to help with the rebuilding process, and this is very necessary. A report has been prepared by the San Bernardino County Flood Control District and the County Highway Department which details the damage to public and private facilities, from the January and February storms. The loss from the two storms amounts to $34,210,000 in public damage and $19,363,000 in private damage, or a total of $53,573,000. This figure is not final.

The public damage is bad enough, but roads can be repaired, bridges rebuilt, public buildings cleaned up or rebuilt—all it takes is money, and I hope Congress will give us a hand. The real heartache is in the losses suffered by individuals. We had 70 residential dwellings destroyed in San Bernardino County, and another 680 severely damaged. In almost every case, they were the homes of persons of modest means, and limited income. We have cases of persons who have worked all their lives, paying for their homes, finally reaching retirement when they had planned to settle down and try to make a small pension cover their living costs—something that might have been possible because their homes were paid for. Then they lost their homes—wiped out completely, or damaged so severely that they require considerable funds to bring back to livable conditions. The best we can offer them, apparently, is a loan at three per cent interest, to rebuild. But they have to pay it back. And under present regulations, we can't even do that, if they can arrange for loans from commercial sources at 7, 8, 9 per cent.

The companion bills to those you are considering which were presented to the House Subcommittee on Flood Control, include provisions for making low in-

terest loans available to all who have suffered flood damage, without being required to take a pauper's oath. I certainly hope the Senate will give this favorable consideration.

The bills we are considering now, if enacted, will help us recover from this disaster. But I feel very strongly that Congress must do more than that, and do it now—this year. We have to realize the imperative nature of our problem, and to bring flood control works into the highest priority. Floods are costing us too much money, and the costs go up each time we have one.

It might help if my distinguished colleagues from California would join me in an effort to convince Congress that severe flood damage occurs quite frequently in California—often enough, in fact, to justify a crash program of flood control. If we had undertaken such a crash program immediately after the severe 1965 storms—which should have awakened us to the need—and if we had cut through the red tape which so often smothers these projects and drags them out for years—the projects we need to protect most of the flood-prone areas in my district would have been far enough along to have prevented most of the damage from the 1969 storms.

Let's not wait for further massive damage totals to get us moving. Let's proceed in the most urgent fashion to build the facilities we need to prevent this damage, rather than wait until we have another flood and then scratch around for the money to bail ourselves out again.

We will have potentially damaging storms again. The record shows that California—and I'm talking about my district in "sunny" Southern California—has suffered severe damage from rainwater runoff at least ten times in this century—in 1910, 1914, 1916 (when nearly all the county's newly-constructed bridges were wiped out), 1938, 1943, two in 1965, 1966, and two so far in 1969. In 1938 and again in 1943 due to wash outs on Lytle Creek, the three major transcontinental rail lines running through San Bernardino Valley were cut and out of service for days. This posed a dire threat in 1943, when the rails were transporting war material for the buildup of supplies needed in the Pacific campaigns. This threat jolted the Federal government into immediate action on flood works on Lytle Creek. It is worthwhile to note that, although the 1969 storm was comparable to those in 1938 and 1943, those rail lines were not damaged. That's an investment that certainly has paid off.

The railroads were out of service in other areas where projects have not been completed.

In 1938, the city of San Bernardino suffered severe damage from the runoff from Lytle, Twin and Warm Creeks and Devil Canyon. Since then, $25 million worth of federal and local projects have been constructed to control the runoff from those streams—an investment that was more than repaid during the 1969 storms alone. The Flood Control District estimates that damage in the city would have exceeded $100 million this year from those four streams without the projects—but we lost nothing to those streams this time. In 1938, 10 lives were lost to the waters from the same four streams—no lives were lost this time.

That's what we accomplished with out flood control works. Now here's what we have failed to accomplish:

The January storm caused $9,500,000 damage in the Cucamonga area, and also lost one life, as a result of Cucamonga Creek running wild. It is ironic that we have an authorized flood control project for Cucamonga Creek which would have prevented this had it been completed. The entire project will cost about $30 million. Another $3½ million in damage was caused by the February storm in Cucamonga. Now, we are at the point where this year alone, $13 million—nearly half the cost of the entire project—has been lost, because the project had been kicked around for years. We did finally get it authorized last year, but no money was appropriated for it. I fully expected that some money would be included in the Corps of Engineers budget for FY 1967–70, to initiate planning and get the project going. However, on almost the same day the first rain fell at the beginning of the January storm, I happened to note in a copy of the proposed budget for FY 69–70 that the Corps had included not one dime for Cucamonga Creek. I plan to ask that an emergency authorization of $50,000 be made now—in the current fiscal year—to initiate pre-construction planning, and to seek a budget authorization for FY 69–70 of $800,000 for planning,to promote the

earliest possible construction start. Construction could then be started the following year.

This is typical of the timetable that should be followed on other vital projects, in other districts as well as my own, if we expect to have any significant increase in flood protection within the next four or five years. In addition to a speedup such as this, we must also find ways to eliminate the long, drawn-out and unnecessary delays in gaining authorization for a project. A vivid example of this is San Timoteo Creek, which last month devastated a large section of my own home town of Loma Linda. This creek is presently included in a survey being made by the Corps which, if allowed to proceed at the normal pace, will be 10 years before any work is started. This is an area where more than $3 million damage was done, largely to low-income families.

The San Bernardino County Flood Control District reports that projects totaling $219,978,100 in cost are needed to complete the flood control protection we need in the county. The local share of this cost will amount to about 20 to 30 per cent. This means that for less than $200 million in federal expenditure we can prevent damages of more than $50 million the next time we have storms such as we have had this year. At least $50 million. The next time, with the growth we are experiencing, the price would go up.

Mr. Chairman, I deeply appreciate the opportunity to point out the severe damage we have suffered and the need for assistance from the Federal government, to recover from this disaster, and I strongly urge you to take immediate action on this matter. But even more urgent is the need to provide protection against future storms, so we won't have to keep coming back every four to six years asking for greater and greater amounts.

Thank you.

Senator JORDAN. Mr. Ayala is our next witness.

We are glad to have you with us, and you may proceed as you wish.

STATEMENT OF RUBEN S. AYALA, CHAIRMAN, BOARD OF SUPERVISORS, SAN BERNARDINO COUNTY, CALIF.

Mr. AYALA. Thank you very much.

May I first request that these two reports be put into the record. One is under a red cover and the other a brown cover.

Senator JORDAN. Such parts of those as are necessary will go in the record, but we will use the entire thing for our consideration.

(The information furnished by Mr. Ayala appears at p. 86.)

Senator JORDAN. You may proceed.

Mr. AYALA. Mr. Chairman, the board of supervisors of San Bernardino County is deeply appreciative of the concern and interest your committee has shown in the present flood disaster affecting southern California, including the county of San Bernardino. Likewise, the county is grateful for the invaluable emergency assistance toward reopening of county roads being rendered by Col. Norman E. Pehrson, district engineer, U.S. Army, Corps of Engineers, Los Angeles.

The San Bernardino and Mojave River Valleys of San Bernardino County have experience a particularly serious disaster with private and public damages estimated to date to be over $53.5 million. This amount may increase further as more detailed estimates are completed.

In addition, millions of dollars in indirect and intangible damages have been occasioned by this disaster. This includes railroad downtime, loss of business by the shutdown of commercial and industrial

concerns, and private inconveniences and income loss which cannot be accurately determined.

It is regrettable that nine lives were lost in San Bernardino County as a result of this flood but fortunate that there were not more fatalities.

These recent devastating floods, as serious as the destruction has been, are generally construed in San Bernardino County to be only about half as severe as the great flood of 1938 when 14 lives were lost. Furthermore, it has been recognized that during the last 100 years even the flood of 1938 has been equaled or exceeded at least three times. In 1862, 1867, and 1891. It has also been established on the Santa Ana River that the flood of 1862 was three times the magnitude of that of 1938.

With these factors in mind, coupled with the recent destructive floods of January and February 1969, it is apparent that the people of San Bernardino County, approaching a million in number, are exposed to the threat of devastating and life-taking floods with damages to public and private properties in the hundreds of millions of dollars. This threat of flood to the entire county, is a threat to an area which is America's largest adjacent to the Los Angeles Basin, an urban-industrial complex experiencing exceedingly rapid development.

Flood flows across San Bernardino Valley pose an extreme threat to virtually every avenue of communication and transportation between the greater Los Angeles metropolitan area and all points east through the Cajon or San Gorgonio Passes. A review of the map accompanying this statement shows that all major transcontinental highways, railroads, major utilities, and main county roads serving southern California are subject to severance by flooding on any single stream or combination of streams, thus a major flood through the San Bernardino Valley will isolate the Los Angeles metropolitan area. In the recent disastrous floods all railroads and major highways—both county and State—were severed or badly damaged.

San Bernardino County is diverse in its geographical complexity of urbanized valley, alpine-like mountains and high panoramic deserts. While the lower valleys were being unundated by torrential rains, the higher elevations were simultaneously being buried under snow drifts from 3 to 30 feet in depth. County snow removal costs approaching $300,000 are being experienced concurrently with the estimated $5.5 million county road repairs due to storm damage. Damage to several hundred miles of county mountain roads is suspected to be great but is unknown at this time, because these roads are buried by the snow. Snowfall depths are shown in the square boxes on the accompanying map.[1]

San Bernardino County finds itself in circumstances which are beyond the capabilities of our local government to resolve in a timely and expeditious manner.

First, the county is unique in that it supports a maintained road system of 4,900 miles. This mileage is the most extensive in the State and equal to or greater than the number of miles maintained by many State highway department. Without the additional burden of flood

[1] The map referred to is retained in the committee files.

disaster, the county's road funds are totally inadequate to provide the traveling public with county roads which are safe and meet present-day minimum standards.

Second, while there is appreciation that the Federal Disaster Act, Public Law 81–875, and the emergency provisions of title 23, U.S. Government Code, do help considerably in the emergency repairs and the replacement of flood damaged highway facilities, the disaster was so great that there are insufficient county funds to pay the county's share required by these assistance programs.

Third, although the county receives a generous apportionment for Federal-aid secondary construction, some $800,000 annually, the mandatory 40 percent county's local matching funds are made available by deferring indefinitely the financing of many badly needed county local road improvement projects.

Fourth, the county has 140 floodway crossings which are deficient and in need of replacement or reconstruction estimated at approximately $20 million. This is apart from normal highway construction needs.

The few photographs which follow were selected as being representative of conditions and typical flood damage scenes throughout the Santa Ana River and Mojave River Valleys.

We urge that the accompanying flood damage tables be studied, and may we respectfully request that this committee consider the possibility of recommending additional Federal financial assistance which is not contingent upon "local matching funds." Such financial aid would assist in providing the public with safe and present-day standard facilities in locations where current emergency programs provide assistance only for work which permits resumption of minimal essential services.

Thank you for affording the county of San Bernardino the opportunity of appearing and presenting our needs to this committee.

Senator JORDAN. Thank you very much.

Doesn't the Santa Ana River run right down through your county?

Mr. AYALA. Yes, it bisects the county and it crosses Orange County into the Pacific.

Senator JORDAN. What is your principal agricultural crop?

Mr. AYALA. Our principal agricultural commodity is dairy, sir. We have the largest milk producing area in the State of California, and I represent that district. That is the Chino area. It is mainly dairies, although we have a diversified type of agriculture in the whole county.

Senator JORDAN. Don't you have a grape growing area there?

Mr. AYALA. Yes, sir. Also, the southwest portion of the county is the sixth fastest growing area in the United States today.

Senator JORDAN. Thank you very much for your presentation and it will certainly be considered in its entirety.

Mr. SEELEY. Mr. Chairman, may I add one thing. You mentioned about the grapes. In Coachella Valley in Riverside County we have numerous grape growers that grow table grapes, and we weren't bothered by the flood at all but we are bothered by the boycott, so we hope you can do something about that too.

Senator JORDAN. How far from Los Angeles is this?

Mr. AYALA. We are contiguous. It is about 20 miles from our most westernly boundary.

Senator JORDAN. In other words, a great many of your people are dependent on the highways to go to Los Angeles where they do work?

Mr. AYALA. That is correct. My District also includes the Ontario International Airport. The runway was closed for a number of hours because of the flooding. My county is contiguous to Mr. Seeley's county (Riverside County).

Senator JORDAN. Thank you very much.

Mr. AYALA. Thank you.

(Additional information and photographs furnished by Mr. Ayala follows:)

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT—FLOODS OF JANUARY AND FEBRUARY 1969, SAN BERNARDINO COUNTY—ESTIMATES OF PUBLIC AND PRIVATE FLOOD DAMAGE

	Flood, January 1969	Flood, February 1969	Tota
Public damage:			
County of San Bernardino, Road Department	$2,500,000	$3,000,000	$5,500,000
State of California, Division of Highways	3,000,000	5,000,000	8,000,000
State of California, Department of Water Resources (California Aqueduct)		1,750,000	1,750,000
San Bernardino County Flood Control District	3,317,000	4,243,000	7,560,000
Miscellaneous county agencies	500,000	500,000	1,000,000
U.S. Forest Service	500,000	250,000	750,000
Ontario International Airport	20,000	20,000	40,000
California Air National Guard, Ontario Airport	10,000	10,000	20,000
Marine Supply Depot, Barstow		5,000	5,000
School districts	376,000	100,000	476,000
Incorporated cities	1,081,000	1,283,000	2,364,000
Public utilities	1,704,000	3,081,000	4,785,000
Railways	660,000,	1,300,000	1,960,000
Total, public damage	13,668,000	20,542,000	34,210,000
Private damage:			
Mountain, residential	1,500,000	820,000	2,320,000
Mountain, private roads	300,000	500,000	800,000
San Bernardino Valley, agricultural		2,000,000	2,000,000
Mojave River, agricultural	1,000,000	2,000,000	3,000,000
Mojave River, residential		480,000	480,000
San Bernardino Valley, residential	4,000,000	3,267,000	7,267,000
San Bernardino Valley, commercial-industrial	2,200,000	1,296,000	3,496,000
Total, private damage	9,000,000	10,363,000	19,363,000
Grand total	22,668,000	30,905,000	53,573,000

Note: Above estimates do not include indirect damages.

SAN BERNARDINO COUNTY (CALIF.) FLOOD CONTROL DISTRICT

CORPS OF ENGINEERS FEDERAL FLOOD CONTROL PROGRAM—URGENT REQUIREMENTS (FISCAL YEARS 1968-69 AND 1969-70)

Project	Status	Total Federal construction cost	Fiscal year	Action required
Mojave River Forks Dam	Construction initiated	$14,750,000	1968-69 and 1969-70	Budget authorization of $6,400,000 to expedite flood protection.
Lytle Warm Creeks	Preconstruction planning completed	12,200,000	1968-69 and 1969-70	Budget authorization of $1,500,000 to initiate construction.
Cucamonga Creek	Authorized, not funded	30,700,000	1968-69	Emergency authorization of $50,000 to initiate preconstruction planning.
			1969-70	Budget authorization of $800,000 for planning to promote earliest possible construction start.
Upper Warm Creek	Survey complete, in process, to Congress for authorization.	13,500,000	1968-69	Emergency project authorization and emergency authorization of $50,000 to initiate preconstruction planning.
			1969-70	Budget authorization of $500,000 to promote earliest possible construction start.
Day-San Sevaine-East Etiwanda	Complete survey June 1969	27,800,000	1968-69 and 1969-70	Emergency project authorization with budget allotment of $500,000 to promote earliest possible construction start.
Santa Ana River Basin (includes these San Bernardino County priority projects): [1]				
Wilson-Wildwood Channel (Yucaipa)		[2] 9,500,000	1968-69	Immediate Public Works Committee authorization of accelerated interim reports to enable earliest possible flood control measures in critical areas.
San Timoteo Creek (Loma Linda)		[2] 8,100,000		
Zanja-Mission Channel (Redlands)		[2] 12,000,000	1969-70	Emergency authorization of $200,000 to fund accelerated surveys.
Rialto Channel (Rialto)		[2] 6,000,000		

[1] Survey in process.
[2] Estimated.

SAN BERNARDINO COUNTY ROAD DEPARTMENT ESTIMATE OF DAMAGE TO COUNTY ROAD SYSTEM, JANUARY AND FEBRUARY, 1969 STORMS

	FAS roads	FAS bridges	Local county roads [1]	Local county bridges	To ta
Valley area	700, 800	874, 000	1, 642, 900	668, 400	3, 886, 100
Desert area	19, 100	0	293, 700	137, 900	450, 700
Mountain area	[2] 70, 000	0	[2] 1, 093, 200	0	[2] 1, 163, 200
Total	789, 900	874, 000	3, 029, 800	806, 300	[1] 5, 500, 000

[1] Includes county maintained forest development roads, estimated damage $500,000.
[2] Includes estimates of final damage which cannot be assesed in the mountain area until snow cover melts.

SANTA ANA RIVER ROARING AT FLOOD STAGE IN THE REDLANDS VICINITY

GREENSPOT ROAD BRIDGE AT THE MOUTH OF THE SANTA ANA RIVER

SAN TIMOTEO CREEK IN THE BACKGROUND BEGINS TO OVERFLOW, THREATENING INTERSTATE 10
ON THE LEFT AND FINALLY RAVAGING THE COMMUNITY OF LOMA LINDA

BARTON ROAD, A FEDERAL-AID SECONDARY ROUTE AND MAJOR COUNTY ROAD, LOSES A BRIDGE

MT. VIEW AVENUE BRIDGE IS CARRIED DOWNSTREAM BY SAN TIMOTEO CREEK

BASE LINE, A FEDERAL-AID SECONDARY ROUTE AND A COUNTY ARTERIAL, IS SEVERED BY CUCAMONGA CREEK

28-349 O - 69 - 7

HELLMAN AVENUE PAVEMENT IS DESTROYED BY DEMENS CREEK OVERFLOWS

Senator JORDAN. Mr. Kidwell, we will be glad to hear from you at this time.

Mr. Kidwell is chairman of the board of supervisors of the county of San Luis Obispo.

STATEMENT OF ELSTON L. KIDWELL, CHAIRMAN, BOARD OF SUPERVISORS, AND ROBERT H. BORN, COUNTY ENGINEER, SAN LUIS OBISPO COUNTY, SAN LUIS OBISPO, CALIF.

Mr. KIDWELL. Mr. Chairman and members of the subcommittee, there are photos in the back of the comments here that you can look at to see some of the devastation in our county.

Senator JORDAN. We will include those in our record.

(The material appears at p. 100.)

Mr. KIDWELL. Mr. Chairman, my name is Elston L. Kidwell. I am chairman of the board of supervisors of the county of San Luis Obispo, Calif., and I am very pleased to appear before you to present this brief statement in support of S. 993. With me today is Mr. Robert H. Born, county hydraulic engineer, who will assist in answering any questions the subcommittee may have.

San Luis Obispo County has incurred its wettest year in recorded history. Heavy rains, which began with the weekend of January 18 through January 20 and continued unabated with several surges of record intensity through February 26, 1969, wrought unprecedented havoc throughout our county. Damage in both the public and private sector has never been greater in recorded history and our recovery will be a slow and painful process.

The disaster, or series of disasters as it might be more appropriately called, has been termed a 100-year storm for San Luis Obispo County. The eye of the storm centered over Los Padres National Forest a few miles northeast of the county's largest city, San Luis Obispo. All of our streams and rivers, including those originating within the national forest, reached record flood stages, carried tons of debris and silt, and washed out critically needed water supply and sanitation facilities.

Senator JORDAN. May I ask a question?

Mr. KIDWELL. Yes, sir.

Senator JORDAN. I am just wondering about your municipal water supplies and your sewage treatment plants. Weren't they seriously damaged over most of this area?

Mr. KIDWELL. Yes, they were, sir. I was planning to cover that. Some of the damage was quite serious in two or three places.

Senator JORDAN. Thank you.

Mr. KIDWELL. Bridges, roads, railroads, as well as important gas and power facilities, were totally destroyed in many areas or incurred extensive damage.

Salinas Dam, a Corps of Engineers facility, with a large portion of its watershed in the Los Padres National Forest also sustained a great deal of damage. The reservoir reached its highest crest since construction of the dam in 1941, cresting at some 12 feet above its spillway.

High waters in the Salinas River below the dam caused extensive public and private damage including the loss of one bridge at San Miguel, the replacement cost of which will exceed $500,000.

Sanitary waste treatment facilities serving the city of Paso Robles and the town of San Miguel received damage from the rampaging Salinas River. Major damage was incurred to the city of Pismo Beach

waste-treatment plant from the inundation and erosion by Pismo Creek. The Pismo plant was out of service for several days causing raw sewage to be discharged at the beach. Several major sewage collection facilities in other communities were also washed out. Several wells, comprising all or a substantial portion of the water supply for three communities, were lost. One community is still cut off and without a permanent water supply.

Senator JORDAN. Let me ask at this point: Do a number of your localities and towns get their water from deep wells?

Mr. KIDWELL. Yes.

Senator JORDAN. Are they dependent on deep wells rather than reservoirs back up in the mountains?

Mr. KIDWELL. Not all of them. Most of our communities are deep wells, and we have reservoirs of course that do service many of our communities, but the ones I am speaking of now lost their wells by contamination.

Senator JORDAN. Thank you.

Mr. KIDWELL. We presently estimate total damage from the storms in San Luis Obispo County at about $13.5 million. Public damage is estimated at about $6 million, of which $4.5 million in damages were incurred by roads, streets, and bridges.

The private sector was heavily hit, with an estimated damage of $5.6 million. Of that total, $4.5 million is assigned to agricultural damage represented by loss of crops, loss of soil and land, structural damage, and livestock losses.

Senator JORDAN. What is your principal crop in that area?

Mr. KIDWELL. Agricultural and cattle.

Senator JORDAN. What is your principal crop?

Is it vegetables, citrus fruit, or what?

Mr. KIDWELL. Truck crops and the alfalfa industry, principally.

Senator JORDAN. And dairy?

Mr. KIDWELL. Dairy, barley, this type of agriculture.

Senator JORDAN. Thank you.

Mr. KIDWELL. Agriculture is San Luis Obispo County's largest and most significant enterprise. The effects of the storm will be felt, therefore, long after the flood waters recede, in our marketplace, in our businesses, in our homes. Our ability to rebuild even necessary public faciilties will be significantly hampered by the lessened ability of our people to pay taxes.

Within San Luis Obispo County, major damage was sustained by at least 14 bridges, or which complete replacement was required for 10. Major structural repairs are required on the other four to restore them to service. One or both approaches on countless other bridges throughout the county were also lost.

Damage to county-owned roads and bridges amounted to about $2.1 million, including $1.2 million to our Federal aid system, and about $1 million to the remainder of our county road system.

Our public utilities sustained an estimated $1.7 million in damages. These damages also will undoubtedly be passed along directly to our population through increased rates for power, gas, telephone, and railway transportation services.

On January 26, 1969, President Nixon declared a "major disaster" in San Luis Obispo County under the provisions of Public Law 875, 81st Congress, as amended. We have asked the Office of Emergency Preparedness to arrange to have the appropriate Federal agency to

provide emergency disaster assistance essential to the health, safety, and welfare of the people and property of our county. Emergency repairs are already underway by the Corps of Engineers. Essential water and sewerage service is still not available to all portions of our county, and several areas are using temporary facilities until more permanent repairs can be made.

Our State legislature has before it a bill which would render some financial aid to San Luis Obispo County and other southern California counties hit so hard by the storm. Even so, it does not appear likely at this time that more than 50 percent of the public damage will be recovered from sources other than local property tax sources.

None of the private damage and the public utility damage will be recompensed through State assistance. The Federal Government does render aid to the private sector through the Small Business Administration, the Farmers Home Administration, and the Agricultural Stabilization and Conservation Service in the form of low interest loans for storm damage repair and restoration.

This assistance will be essential to our citizens because commercial lending institutions take a dim view of making such loans to firms and individuals who have suffered severe property damage and whose ability to repay is also damaged.

One of the problems facing our local agencies is short-range financing. Under Public Law 875, advance funding can be made by the Federal Government for those items of emergency work requiring immediate attention.

Advances up to 75 percent of the estimated cost of the emergency work can be made. However, there is necessarily a considerable time-lag between the time the damage is actually incurred and the time any advance funds are received. Agencies such as our city of Pasmo Beach, which lost some major trunk water lines and its sewage treatment plant, and the Cambria County Water District, whose wells were contaminated, must move at once to restore these vital services. Debts are incurred which cannot be repaid for some time.

Some of our agencies have tried, to no avail, to obtain loans from commercial lending institutions. Emergency funding, then, should be made available quickly and Federal procedures should be made as simple as possible to expedite emergency work. Audit work on claims should also be expedited so that reimbursement funds can be made available at an early date.

The total assessed valuation of San Luis Obispo County is $257,140,319. The Los Padres National Forest comprises 239,137 acres in San Luis Obispo County or 11.2 percent of the total land area.

Bureau of Land Management lands represents 130,000 acres or 6.1 percent of the county. Federal land thus accounts for 17.3 percent of all San Luis Obispo County land. The ability of the county to raise money through taxes is inhibited, then, by its low assessed valuation and the high percentage of Federal lands.

Los Pedres National Forest lands and property sustained approximately one-third of a million dollars in damage. Fire across roads are heavily damaged and the ability of the Forest Service to repair these roads and other facilities will be greatly hampered unless adequate funds can be made available to them.

The problem is greatly intensified by the heavy grass growth now appearing on forest and adjacent lands and the consequent high fire hazard this coming summer.

From this explanation, I am certain you will concur that our people and local agencies are doing all within their power to restore or repair their damaged facilities. No prudent local financial planning program could have been established to protect us from this type of disaster. As our local reserves and other financial resources, including borrowing, are exhausted, we have no other recourse but to turn to the State and Federal governments for assistance.

Several Federal agencies have already provided substantial assistance to the people of San Luis Obispo County, for which we will be eternally grateful. Other Federal agencies will be called upon for additional assistance. In all cases, the funding for these programs is limited and greatly in need of augmentation by means such as that possible under S. 993.

In conclusion, we submit that San Luis Obispo County has received a serious economic setback through devastating floods. Local resources are being stretched beyond their ability and we can only turn to a higher governmental jurisdiction for assistance. Your endorsement of S. 993 is therefore respectfully recommended.

I have attached to this statement a copy of our latest estimate of damage, which is being revised upward constantly. Also attached are but a few illustrations of the various types of damage we have sustained, together with a tabulation showing the relative impact of 1969 flood damage on San Luis Obispo County.

And we want to thank you so much for allowing us to come here and testify today.

Senator JORDAN. Thank you very much.

Mr. Born, do you have a statement to make?

Mr. BORN. No, sir; only to answer questions and to refer you to that last table which shows the effect of this damage in terms of people which is being felt very strongly in our county.

Senator JORDAN. I can thoroughly understand that. We are glad to have the information.

Mr. Kidwell, all floods of whatever nature are destructive and bring a great economic loss, but one of the greatest things that you brought out there is the fact that you have rendered a lot of your taxpayers incapable of paying taxes, because the property that they own to make money and make a living on is destroyed to the extent that they can't make a living for themselves, let alone pay taxes to the county. That is one of the serious things that always accompany a disaster any time you destroy property.

For instance, I have known one case where a factory was completely destroyed by a cyclone. All those employees were completely out of work in addition to the plant being destroyed, so there was the taxpayers gone when the factory was gone, but the people's living was gone at the same time. So it ties in.

Everybody is hurt in these things, and you can't say just because one man didn't happen to lose his house that he wasn't hurt, because he is hurt. Everybody in the area is hurt, and it is a serious problem and I can assure you this committee will give it serious consideration promptly.

Mr. KIDWELL. Thank you, sir.

(The information and photographs furnished by Mr. Kidwell follows:)

SAN LUIS OBISPO COUNTY,
FLOOD CONTROL AND WATER CONSERVATION DISTRICT,
San Luis Obispo, Calif., March 25, 1969.

Estimate of flood damage in San Luis Obispo County

Public damage:	
Flood fighting (general) by Corps of Engineers	$116,000
California Division of Highways	1,450,000
California Valley Community Services District	15,000
Cambria County Water District	325,000
Cambria Fire Protection District	2,000
Cayucos Sanitary District	5,000
City of Arroyo Grande	16,000
City of Grover City	----------
City of Morro Bay	120,000
City of Paso Robles	330,000
City of Pismo Beach	300,000
City of San Luis Obispo	236,000
Coast Joint Union High School	70,000
County flood control district	496,000
County parks and beaches	22,000
County roads	2,108,000
County service area No. 12	17,000
County waterworks district No. 5	8,000
County waterworks district No. 6	2,000
Garden Farms County Water District	8,000
San Miguel Sanitary District	15,000
National forest lands and property	280,000
Whale Rock Commission	2,000
Atascadero State Hospital	45,000
Atascadero Unified School District	28,000
Total public damage	6,016,000
Private damage:	
Arroyo Grande	2,000
Atascadero (includes Atascadero Mutual)	70,000
Avila	120,000
Cambria	150,000
Cayucos	2,000
Creston	10,000
Morro Bay	225,000
Nipomo	3,000
Oceano	2,000
Paso Robles	80,000
Pismo Beach	72,000
San Luis Obispo	400,000
San Miguel	10,000
Santa Margarita	2,000
Templeton	1,000
Countywide agricultural crop damage	2,500,000
Countywide agricultural improvements (channels, irrigation systems, dams, water control structures, et cetera)	810,000
Countywide agricultural land damage (principally from erosion)	300,000
Rural private roads and bridges	650,000
Rural private structures and equipment (houses, barns, sheds, vehicles, farm equipment, et cetera)	250,000
Livestock losses	20,000
Total private damage	5,679,000
Utility damage:	
Pacific Gas & Electric Co	380,000
Pacific Telephone	325,000
Southern Counties Gas Co	70,000
Southern Pacific Co.—Western Division	950,000
Southern Pacific Co.—Southern Division	10,000
San Miguel Telephone Co	50,000
Total utility damage	1,785,000
Total countywide damage	13,480,000

RELATIVE IMPACT OF 1969 LOCAL AGENCY FLOOD DAMAGE ON SELECTED CALIFORNIA COUNTIES

County	Local agency public damage [1] (thousands)	County road damage [1] (thousands)	Population	Total local agency public flood damage per capita	County road damage per capita
San Luis Obispo	$5,100	$1,500	105,400	$49	$14
Ventura	13,852	2,890	350,100	40	9
San Bernardino	14,536	5,500	683,00	21	8
Santa Barbara	4,204	3,064	254,900	17	12
Riverside	7,267	1,894	450,100	16	4
Monterey	3,533	1,235	246,400	14	5
Orange	7,886	2,116	1,317,800	6	2
Los Angeles	40,000	15,000	7,101,400	6	2

[1] Based on data compiled through Mar. 5, 1969, by County Supervisors Association of California.

1. Typical structural damage to residence caused by overflow of Lopez Creek.

2. Damage to one of principal wells serving Town of Atascadero caused by rampaging Salinas River.

3. Erosion damage to portion of State Highway 41 along Salinas River at Atascadero.

4. Typical debris-filled stream posing major threat to downstream federal, state and county bridges.

5. Silt deposition in Town of Avila Beach following inundation from San Luis Obispo Creek.

6. 360-foot section of bridge at San Miguel on Salinas River destroyed by water and debris.

7. Section of bridge destroyed on federally assisted secondary road across Huasna Creek.

8. Parkhill area road damage, typical of much road damage in San Luis Obispo County.

Senator JORDAN. Is there anybody else who wishes to testify this morning?

If not, this committee will stand in recess until 10 o'clock Thursday morning, April 3.

Thank all of you for being with us.

(Whereupon, at 12 o'clock noon, the committee was recessed, to be reconvened at 10 a.m., Thursday, April 3, 1969.)

CALIFORNIA DISASTER RELIEF ACT OF 1969

THURSDAY, APRIL 3, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:08 a.m., in room 4200, New Senate Office Building, Senator William B. Spong, Jr., presiding.

Present: Senator Spong.

Staff members present: Stewart McClure, professional staff member; and Bailey Guard, assistant chief clerk (minority).

Senator SPONG. The hearing will come to order, please.

Good morning, ladies and gentlemen.

Today we continue the hearings begun by this subcommittee on Tuesday of this week on S. 993, the California disaster relief bill. This bill has as its purpose to provide assistance to the State of California and its citizens in their efforts to recover from the destruction left by the disastrous rainstorms of the past winter.

On last Tuesday the subcommittee heard excellent testimony from Senator George Murphy, from officials of the State of California, and from four of the counties most seriously affected. They brought us striking evidence of the damage that had been done to their State.

This morning we shall hear from the representatives of the agencies of the Federal Government that are responsible under the law for providing relief to areas stricken by disaster. We will also welcome any recommendations they may wish to make with respect both to the bill, S. 993, and to the general problem of major disasters in this country.

Our first witnesses are from the Office of Emergency Preparedness, which by authority is delegated by the President to have prime responsibility under Public Law 875 of the 81st Congress, enacted September 30, 1950, for coordinating the activities of the Federal Government in providing disaster assistance.

Before calling on these gentlemen, I would like to place into the record a letter dated April 3 from Senator Alan Cranston, of California, addressed to the Honorable Jennings Randolph, chairman of the Senate Public Works Committee.

(The letter referred to follows:)

U.S. SENATE,
Washington, D.C., April 3, 1969.

Hon. JENNINGS RANDOLPH,
Chairman, Senate Public Works Committee,
Washington, D.C.

DEAR JENNINGS: I am deeply concerned both with the disastrous floods which have wreaked havoc on much of California and with the threat of even greater damage when warm weather thaws out the Sierra snow pack. Both property and people have been severely damaged in California.

As you know, the Roads Subcommittee has heard primarily of the great destruction to land, man-made structures and roads, and to a lesser degree, crops. However, there is evidence that in the affected areas, people, and particularly poor people, have had their livelihood and prospects for future employment seriously endangered by flood damage.

Because I plan within two weeks to have testimony and evidence developed, I hope you will allow the record to be held open even possibly for another hearing. I certainly do not wish to delay the Committee's deliberations, for I view the need for California assistance with the grestest urgency. If keeping the record open will not delay the anticipated procedure for reviewing the legislation, I will appreciate your considering this request.

Thank you for your courtesy.

Sincerely,

ALAN CRANSTON.

Senator SPONG. The first witness from the Office of Emergency Preparedness is Mr. Russell.

OFFICE OF EMERGENCY PREPAREDNESS

STATEMENT OF FRED J. RUSSELL, DEPUTY DIRECTOR, ACCOMPANIED BY CHARLES KENDALL, GENERAL COUNSEL, AND GORDON GILLIS, CONGRESSIONAL LIAISON

Senator SPONG. Gentlemen, we are pleased to have you with us this morning.

Mr. RUSSELL. Thank you.

Mr. Chairman, I am pleased to be here today to submit my agency's comments on S. 993, a bill entitled: "To Provide Assistance to the State of California for the Reconstruction of Areas Damaged by Recent Storms, Floods, Landslides, and High Waters."

This bill does not alter the national disaster aid program administered by the Office of Emergency Preparedness under Public Law 81–875 or its role as coordinator of overall Federal disaster relief activities for the President.

Section 1 and other sections of the bill refer only to damages that occurred in California during December 1968 and January and February 1969 and authorize special measures to assist the people of that State in the reconstruction and rehabilitation of the devastated areas. The President, in his declaration of a major disaster for California under Public Law 875, established the incidence period for damages beginning on or about January 17, 1969. The Federal-State disaster assistance agreement presently sets a terminal date of March 5, 1969.

To date, $8 million of Public Law 875 funds have been allocated to the State. Thirty-seven counties (out of 58 in the State) have been declared major disaster areas eligible for this assistance. The State anticipates receiving approximately 275 project applications, most of which have been filed with the California Disaster Office and are now being processed. Meanwhile, the recovery work is underway.

In addition to the project applications, about 100 resolutions have been received from local applicants, requesting that restorative work be performed by various Federal agencies. Most of these requests, involving a total estimated cost of slightly over $20 million, have been

referred by our regional office to either the U.S. Army Corps of Engineers or to the Bureau of Reclamation, Department of the Interior.

Also, we have been advised by the State that there will be approximately 25 project applications under section 9, P. L. 89–769 (for projects under construction).

Section 2 bears a relationship to the Federal disaster assistance program administered by OEP. It authorizes funds "for temporary and permanent repairs and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under existing provisions of Federal law."

We would interpret "highway facilities" within the intent of the proposed bill to include public roads, streets, bridges, and low-water crossings. State and local roads damaged by a major disaster, as determined by the President, are eligible only for emergency repairs or temporary replacement under Public Law 875.

Section 2 would therefore authorize appropriations of not to exceed $15 million to the State of California during the fiscal year ending June 30, 1969, and $15 million for the fiscal year ending June 30, 1970, for (1) the repair or reconstruction of highway facilities not in the Federal-aid system, and (2) permit such repairs or reconstruction to be accomplished on a permanent basis, as distinguished from temporary repairs as now authorized by law.

Under Public Law 81–875 the Federal Government can pay the entire cost of temporary repair or replacement of all non-Federal-aid public roads which have been damaged in any declared disaster area or, at the option of the local authority, will make an in-lieu payment equal to the cost of such temporary repair or replacement. Thus, the local authority is able to apply the amount of the in-lieu payment against the actual cost of permanent repair or permanent reconstruction.

The remaining sections of the bill affect the programs of other Federal agencies. We defer to the views and recommendations of those agencies in their areas of technical competence.

Thank you very much for the opportunity to present our views on this bill. I shall try to answer any questions you may have.

Senator Spong. Senator Murphy has offered amendments to his own bill that change its provisions in the following ways: The period covered to qualify for benefits would be changed from December 1968 and January and February of 1969 to the period from November 30, 1968, to June 1, 1969.

Do any of you have any comment on this proposed amendment?

Mr. Russell. Well, I think that the date that we have declared is one that was established by the joint effort of the California State Disaster Office and our regional office. So I know of nothing except what might be revealed by further investigation that would establish a need to set an earlier date.

As far as extending the date to June, I don't know what Senator Murphy has in mind. It has been extended once, I believe, to reach the March 5 date, and if there is a need to extend it further, the conditions would determine the extending of the period to a later date.

Senator SPONG. He has expressed some fear that runoffs from the snow may cause additional damage.

Mr. RUSSELL. Well, that is a concern, and certainly if those runoffs do occur and the damage does ensue, it is going to be necessary to advance the date.

Senator SPONG. What is the process by which your agency receives funds for disaster relief?

Mr. RUSSELL. The President's Fund for Disasters was established, and from time to time appropriations add to it, as needed, for each fiscal year.

Senator SPONG. All right, sir. Thank you very much.

Do either Mr. Kendall or Mr. Gillis have anything to add?

Mr. KENDALL. No. Thank you, Mr. Chairman.

Mr. GILLIS. No. Thank you.

Senator SPONG. Mr. Jack Frost and Mr. M. M. Nelson from the Department of Agriculture.

Mr. NELSON. If you want to take Mr. Frost first, I have two others we want to sit at the table.

Senator SPONG. All right, we will hear from Mr. Frost.

STATEMENT OF JACK FROST, DIRECTOR, EMERGENCY LOANS, FARMERS HOME ADMINISTRATION, ACCOMPANIED BY HOWARD CAMPBELL, ASSISTANT GENERAL COUNSEL, DEPARTMENT OF AGRICULTURE

Mr. FROST. I have with me this morning Mr. Campbell, Assistant General Counsel for the Department of Agriculture. I have asked Mr. Campbell to join me wherever and whenever he will, both with regard to the prepared statement and in answering any questions you may have.

Senator SPONG. We are pleased to have you with us, Mr. Campbell.

Mr. FROST. Mr. Chairman and members of the subcommittee, we are glad to have this opportunity of discussing the Department's position about section 6 of S. 993.

As you know from the report you have already received, the Department does not recommend the enactment of this section.

Section 6 would authorize the Farmers Home Administration to make emergency loans in designated emergency loan counties in California to established farmers and ranchers who have suffered uncompensated loss or damage resulting from recent storms, floods, landslides, and high waters, without regard to their ability to get credit from other sources. These loans would be made to repair or restore their damaged property and to continue their normal farming or ranching operations. Section 6 would also authorize in connection with such loans in excess of $500 the cancellation of up to $2,500 or the forgiveness of interest to the extent of not to exceed $2,500 over a period not to exceed 3 years. The amount of the cancellation or forgiveness would be determined by the amount of the applicant's damage above $500 and the amount of the loan.

If the proposed legislation is enacted, the present "credit elsewhere" satutory eligibility requirement would be suspended through June 30, 1970. This means that until that time emergency loans would be made

to all otherwise eligible applicants in designated California counties without regard to their financial conditions. This would conflict directly with the fundamental principle of the emergency loan program that all types of Government loans should be restricted to applicants who are unable to obtain the credit they need from other sources. To do otherwise would result in competition with private lenders and a greatly increased emergency loan volume with an increased cost to the Government.

There are 15 currently designated emrgency loan counties in California. These counties are Fresno, Inyo, Los Angeles, Madera, Merced, Monterey, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Diego, Santa Barbara, Stanislaus, Tulare, and Ventura. In addition we have received recommendations for the designation of Kern and Sacramento Counties. Also, it is expected that designations will be requested for Contra Costa, Kings, and Orange Counties. There has been no flood damage in San Diego County, which is one of the designated counties.

There has been considerable damage to farm real estate in other counties along streams and waterways. However, we have received very few loan applications. The explanation we have been given is that farmers in these counties own valuable real estate with relatively small debts. We are informed that it will not be necessary for many to rely on the Government for credit in this situation. Our field employees estimate that under present regulations approximately 269 farmers in these counties, except San Diego, would request emergency loans totaling $4,045,000. However, if the "credit elsewhere" statutory eligibility requirement is suspended, they estimate that 2,570 farmers may apply for loans totaling $32,305,000. These estimates represent the number of farms which have been damaged and the cost of repairing the damage and meeting operating expenses in continuing 1969 operations.

Our emergency loan policies are broad enough to met the needs of otherwise eligible farmers in California who are unable to obtain credit from other sources.

Mr. Chairman, this completes our statement. We will be glad to respond to any questions.

Senator Spong. Senator Murphy has suggested another amendment to his bill. Under section 6, subsection 2, it says: "* * * shall in the case of a loan to a low-income individual * * *."

That language has been put in there, and then it goes on with the cancellation of up to $2,500 and the waiver of the interest.

Do you have any comment on that, Mr. Frost?

Mr. Campbell. From a hurried reading of the suggested amendment, it appears that it would, of course, reduce the amount of the loss to the emergency credit revolving fund, since the interest credit would not be available to those farmers and ranchers who got a loan, but who had an income level above low-income level.

It would not, as Mr. Frost's statement indicates, reduce the total drain on the emergency credit revolving fund, because even the larger income people would be eligible for the loans.

Senator Spong. Would the suggested amendment alter your view at all with respect to the "credit elsewhere" requirement?

Mr. FROST. As we interpret it hurriedly here, it wouldn't affect the "credit elsewhere" phase at all, so it would not change the loanmaking nor the amount of money that would be required to make loans in the area. We are confident that it would not change the Department's position in objection to section 6 of the bill.

Senator STONG. Thank you very much.

Mr. Nelson.

STATEMENT OF M. M. NELSON, DEPUTY CHIEF, FOREST SERVICE, ACCOMPANIED BY SIDNEY WEITZMAN, DIRECTOR, DIVISION OF FLOOD PREVENTION AND RIVER BASIN PROGRAMS (SURVEYS DIVISION), FOREST SERVICE; AND REYNOLDS FLORANCE, DIRECTOR, DIVISION OF LEGISLATIVE REPORTING AND LIAISON

Mr. NELSON. Mr. Chairman, I have with me Sid Weitzman, who is Director of our Division of Flood Prevention and River Basin Programs. On my right is Reynolds Florance, who is Director of our Division of Legislative Reporting and Liaison.

Mr. Chairman and members of the committee, I am pleased to be here before your committee to make a statement concerning the situation that gave rise to the proposed California Disaster Relief Act of 1969.

Starting in October and continuing through March, there has been unusually heavy precipitation in California, the Pacific Northwest, and the intermountain region. There are at least 15 critical days left when further severe storms could occur.

As I personally observed on the ground in California in February, damage to property and loss of life was severe from the January storms. During February further storms hit new areas in California as well as areas which suffered severe damage in January. Property damage, rainfall, and runoff resulting from the January and February storms in most watersheds exceeded anything of record in central and southern California. As a result of these storms, 37 of the 58 counties in California have been designated under the President's emergency declaration authority as disaster areas.

A feature of these storms which is extremely important is the unusually heavy amounts of snow that have accumulated. The snow accumulation is of or near record amount in the Sierra Nevada, Cascades, Bitterroot, and Salmon Mountains. Ten aerial survey markers for determining snow depth that are 16 feet high in the Sequoia National Forest, Calif., were completely buried. Our snow laboratory at Donner Summit in the Tahoe National Forest, Calif., reports a total snowfall of 44 feet now settled to about 18 feet or 220 inches. This snowpack contains an equivalent of 88 inches of water, which is 225 percent of normal on March 1.

Not only are snow accumulations high, but water content of the snow is also unusually high. Reports from 27 snow courses on the Kern River which heads in the Sequoia National Forest set records for water content. Measurement of precipitation from October to March in the Sequoia National Forest shows that it is 340 percent of normal.

The April-through-July snowmelt runoff for the Kern River system in the Sequoia National Forest is predicted to be 450 percent of normal.

On our barometer watersheds, which are specially selected and carefully indexed watersheds where we evaluate our land management programs, soil moisture is near saturation levels. Thus, further water storage opportunities in the soil profile are at a minimum. In general, most streams from national forests in the Sierra Nevada, Idaho and Utah mountains are expected to produce 150 to 250 percent of average runoff for the remainder of this spring runoff period.

The enormous snowpack has created a high avalanche hazard. It has limited the access to the national forests, made the protection of buildings and facilities difficult and endangered the safety of many people. At least seven persons have died in avalanches to date.

Also, we are greatly concerned because the snowline is low. Normal snowmelt has been delayed 5 to 15 days because of below-normal temperatures. If we have a combination of either warm days and nights or warm rains, we can expect high water. If this happens, damaging floodwaters could destroy repair work already underway and also do additional damage within the national forests as well as downstream. It could also have a serious effect on the supply of logs this spring.

We are already well aware that damage from the January-February storms was mostly in southern California. There was extensive stream channel erosion and deposition, extensive areas with slides, slumps and millions of tons of soil loss. We estimate that the following facilities on the national forest system in California has been damaged:

Two thousand nine hundred twenty-four miles of roads and 2,976 miles of trails, which are vital parts of the transportation system.

One hundred forty-nine campgrounds, with 1,184 camping units, in areas where recreation improvements are heavily used most all year.

Two dams were breached and several others damaged. The two lost were built to keep debris out of the Santa Barbara water system.

Administrative structures and utility systems lost or damaged are: 86 buildings, 48 water systems, one sewer system, 11 electrical systems, and one airport.

We also lost one of our Los Padres National Forest employees who was on a rescue mission which also took the lives of seven Boy Scouts and two adults.

We are continuing to collect data on storm damage as landslides continue and as we gain access to our areas.

Where damage consists of sections of washed-out roads and drainage structures, plus slides and slipouts, waste materials will have to be hauled long distances. This hauling must be done instead of dumping over road embankments to make sure that debris does not get into downstream reservoirs.

If not repaired, damage or potential damage to the national forest transportation system could affect the harvest of timber on many of the national forests, particularly in northern California, the Pacific

Northwest, Upper Columbia River watersheds, and other areas. It will also limit vehicle access for fire suppression purposes and will prevent use of over 100 campgrounds in southern California. We, of course, are moving ahead wherever possible within out present authorities to rebuild and open up roads and other facilities.

For example, after discussions and correspondence, Mr. Frank C. Turner, Director of Public Roads, Bureau of Public Roads, on March 14 indicated to the Chief of the Forest Service that funds would be made available to us for repair or reconstruction of damaged forest development roads under section 125 of title 23 U.S.C. Actual transfer of funds will take place after BPR reviews our estimates of costs and supporting data. These additional funds will have no effect on our regular authorized road projects. This is very important at this point because the regular road program is critical to the national shortage of lumber and plywood.

Because of the relief which section 3(a) would afford timber purchasers for restoration of damaged roads, we canvassed our field people to determine the existing situation as affected by the events of these storms. In view of the heavy precipitation which has occurred in areas outside California, we did not limit our inquiry to that State. Our field people are not aware [not aware] of any significant damage to purchaser-built roads or devedlopment facilities at this time.

However, most sale areas and related purchaser road construction is under snow, making it impossible to determine the extent of any damage now existing. While we are certain that damage in disaster magnitude does not now exist, we are aware of the potential damage which might occur if either warm weather or warm rains would cause rapid runoffs from the heavy snowpacks.

Following the damaging storms of 1964–65, we revised our timber sale contract form to take care of abnormal road damage in situations such as this. However, the Forest Service still has over 900 timber sale contracts in force at this time which do not take care of this abnormal damage situation. Roads have been built or are to be built under these contracts.

As I said earlier, we do not have any specific details as to damage on purchaser-built road construction at this time. All we can do is surmise present damage and anticipate future damage.

We are strongly interested in authority to shorten advertising periods of sale offerings where natural disaster strikes. Such authority would be useful in minimizing loss in deterioration of damaged timber and in preventing insect epidemics. It also would be useful in preventing economic stress and unemployment in communities where processing plants are cut off from log supplies because of natural disasters. At this time of short supply of lumber it is important to keep mills producing at maximum capacity.

I would now like to talk, Mr. Chairman, about the relation of the upland areas, where most of the National Forest lands are, to the downstream areas. The Los Angeles River Flood Control project, established under the 1944 Flood Control Act, demonstrated an effectiveness that could be extended to other situations and problem areas. In

comparison with heavily damaged areas nearby, the Los Angeles River project was remarkably successful in having limited damage.

Several types of measures have been undertaken in this project to limit damage. There has been a higher level of fire protection, including intensive preplanning for control of a fire once it starts, in the project area than in adjacent areas. Small structures in stream channels in conjunction with other stabilization measures in critical areas have been installed.

The San Gabriel Mountains, which are between the Los Angeles urban area and the desert, form the headwaters for this project. These mountains have unusually steep slopes, and the soil is treacherously unstable. Even during the long dry season soils are constantly moving down slopes and filling dry channels. Tons of this gravel accumulate waiting for the rush of winter runoff to move downstream. Most of the soils in the San Gabriel Mountains have a quality that makes them repel water to some degree. Wildfires intensify this and cause a water-repellent layer of soil about 2 inches below the surface. After a wildfire the top 2 inches of soil are left unprotected and ready to wash downslope in giant sluices of mud.

The evaluation job is still in progress. But damage to urban areas from the phenomenal winter storms was far less below project installations in comparison to damage in nearby unprotected areas. For example, there was extremely heavy damage in the San Gabriel watershed. This watershed is located adjacent to the Los Angeles River watershed, where topography is similar and rainfall and weather conditions were identical. Both the Los Angeles and San Gabriel Rivers have headwaters in the San Gabriel Mountains.

There is no overall current program in the Department of Agriculture that deals effectively with protecting urban areas from serious flooding and mud slides under conditions such as are found in the watersheds of southern California.

The Forest Service has carried out extensive research in many of these problems we are discussing today. For example, floods and fire have been dominant incentives for research at San Dimas Experimental Forest near Glendora, Calif. These disasters are closely tied to soil, water, and plant relationships. One of our first objectives has been to learn the best management practices for reducing damages to nearby communities.

Studies have shown that detergents are at least partially effective in overcoming the water repellency in these soils that I mentioned earlier. Some of the better known methods of preventing flooding after fire, such as grass seeding and contour trenching, have produced good to spotty results in the San Gabriel Mountains.

Other research at San Dimas has been concerned with the role of vegetation in controlling fire. Discovery of plant species exhibiting some measure of fire resistance that will adapt to the rigors of the semiarid southern California climate have been the object of intensive worldwide search for over 30 years. Such species, both tree and shrub, have been identified, and conversion to these species has been undertaken on an experimental basis.

Fuel-break systems have been developed by converting heavy brush to light-volume fuel, such as grass at strategic intervals. Other plants that have been reported to be fire resistant or slow burning have been tested as permanent replacement for inflammable brush in these fuel-break zones. Some of this knowledge has been or will be applied in the job of rebuilding and protecting these very important watersheds in southern California.

Mr. Chairman, that completes my statement. I have a few pictures here. If you have time, I would like to show these to you and go into this a little more.

Senator SPONG. All right, sir.

Mr. NELSON. The picture before you shows the relationship of the mountain watersheds to the urban areas below. (Fig. 1.) A few orchards there indicate that this was agricultural land at one time. It is rapidly changing to an urban situation.

The mountains behind this community were burned over this last year, and much of the heavy damage is in the urban area shown in the picture. This is in the community of Glendora.

We have two pictures that would indicate a little of that damage. This picture is a blowup of one section of the first picture. (Fig. 2.) You can see where the mud has come down through those very expensive homes. Some of the homes were filled halfway with mud. Some of the members of the House Public Works Committee were out there and walked directly from the mudflow onto the roof of one house.

Here is another picture of the mud that has come down into the home, not an expensive home in this case, but certainly that family with their belongings piled out in front have suffered tremendous damage. (Fig. 3.)

Senator SPONG. Thank you very much, Mr. Nelson.

You heard me earlier, when Mr. Russell was testifying, make reference to the amendment proposed by Senator Murphy, which would extend the time, I believe, to June 1 of this year.

Would you care to comment on that? Some of your testimony has related to the possibility.

Mr. NELSON. Yes. For some of the parts of the bill that would relate to our forest work, we think that extending the period would be very desirable.

As I indicated in my testimony, we have this tremendously heavy snowpack with very substantial water content, and we feel that much of the potential for damage is yet to come, as far as the national forests are concerned.

It depends upon what the weather turns out to be this spring. If we do have the warm rains or a period of warm days and nights, it could cause some real serious flooding yet this spring.

Senator SPONG. Thank you very much.

Mr. Weitzman and Mr. Florance, do you have anything to say?

Mr. NELSON. I have a set of pictures here. If the committee would like to have them, we would be glad to leave them.

Senator SPONG. We would like to include your photographs in the record.

(The photographs referred to follow:)

FIGURE 1. The Glendora, California area. An example of the mountain-urban relationship. Mud flows moving downstream from mountain lands with inadequate cover did great damage.

FIGURE 2. Mud and debris being removed from Rainbow Drive residential area,

FIGURE 3. Damage from mud and rocks to the Richardson residence, long time residents on Richardson's Hill, Glendora, California. Three to four feet of debris was deposited in and around the building.

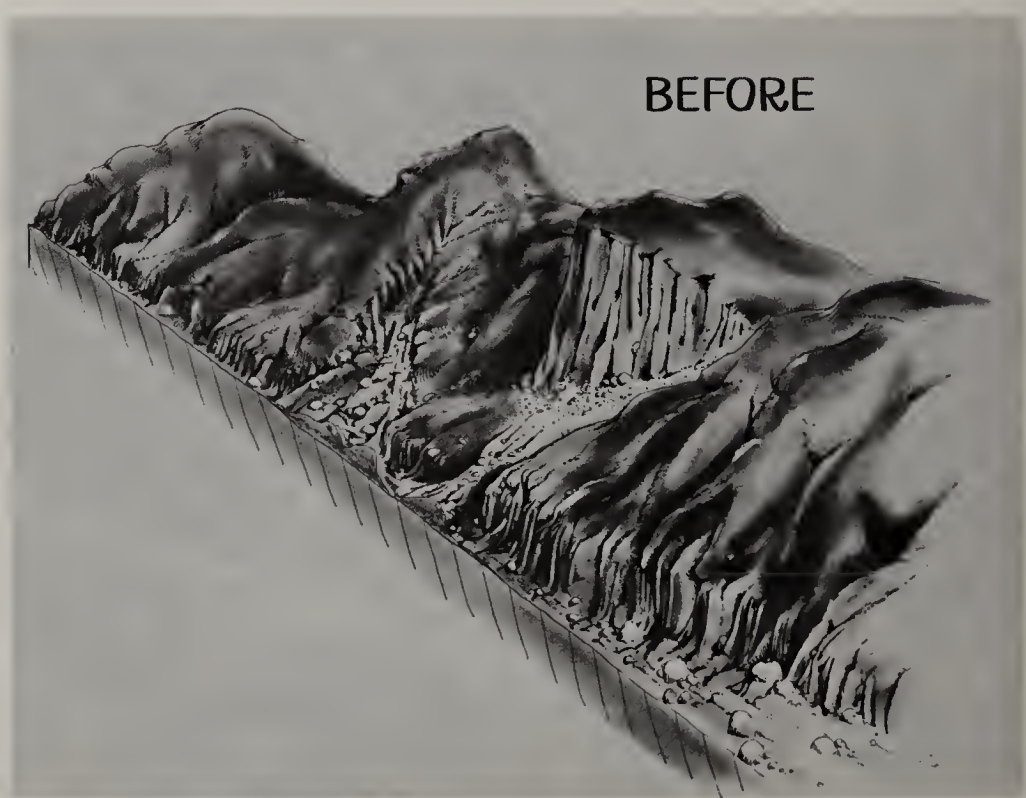


FIGURE 4. A cross section of a mountain stream channel before erosion stabilization work. Each storm causes undercutting of steep side slopes. The soil, rocks, and debris is then flushed downstream into debris basins, reservoirs or developed areas.

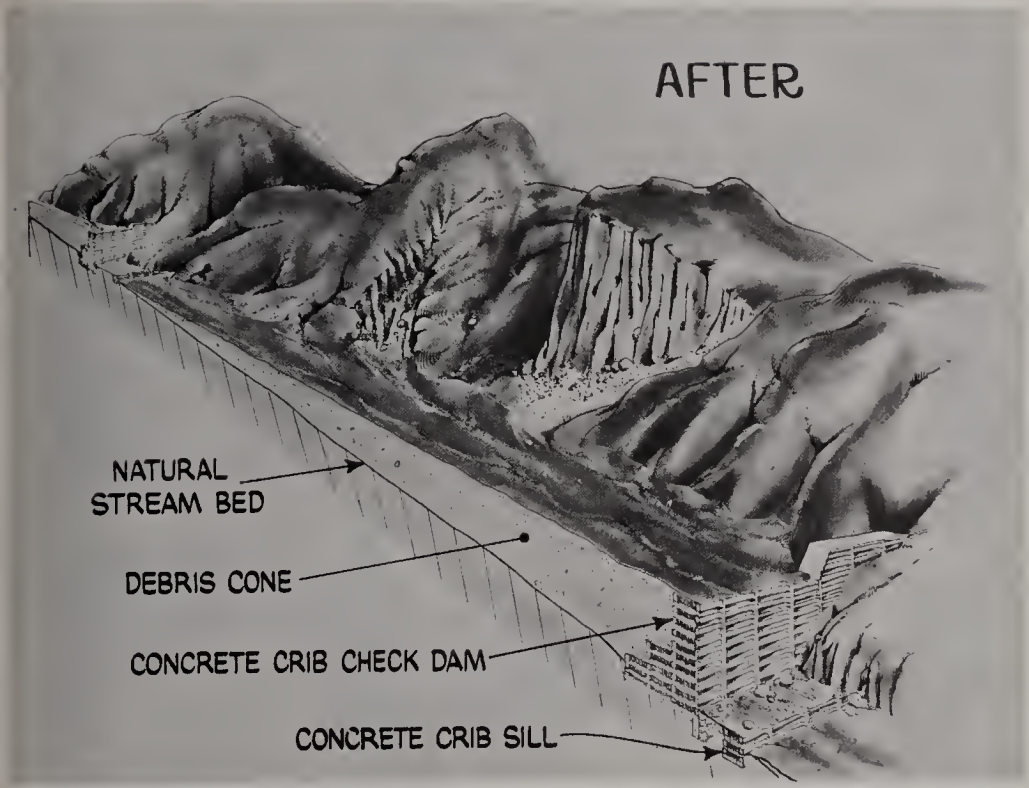


FIGURE 5. Concrete crib check dam installed in a mountain stream channel for stabilizing stream beds and sides as well as trapping debris.

FIGURE 6. Los Angeles County teams removing debris from the completely filled Hook Canyon Debris Basin, after the January 1969 storms.

FIGURE 7. Stream stabilization structure limits damage during a storm runoff period. Angeles National Forest, California.

Senator SPONG. Mr. Maloney?

STATEMENT OF MARTIN F. MALONEY, DEPUTY DIRECTOR FOR ENGINEERING, BUREAU OF PUBLIC ROADS, FEDERAL HIGHWAY ADMINISTRATION; ACCOMPANIED BY RICHARD S. SALZMAN, ASSISTANT CHIEF COUNSEL, FEDERAL HIGHWAY ADMINISTRATION

Mr. MALONEY. Mr. Chairman, I have asked Mr. Salzman from our General Counsel's office to accompany me.

Senator SPONG. We are glad to have you, Mr. Salzman.

Mr. MALONEY. Mr. Chairman and members of the subcommittee, I am Martin F. Maloney, Deputy Director for Engineering, Office of Engineering and Operations of the Bureau of Public Roads, and I thank you for the opportunity to testify today with respect to S. 993. This bill would provide assistance to the State of California for the reconstruction of roads damaged by recent storms, floods, landslides, and high waters.

As you are well aware, Mr. Chairman, the loss of life and property in California is a matter of grave concern. From our own field reports, we estimate damage to Federal-aid highway system facilities and to

Federal public roads and trails to be $56 million. The additional damage to roads and highways off those systems is some $41 million at last count.

Financing for the repair of these highways is now authorized from two sources. Sections 120 and 125 of title 23 of the United States Code provide emergency relief funds for the repair or reconstruction of highways on the Federal-aid systems and for Federal public roads and trails. These provisions come into play when damage results either from a natural disaster occurring over a wide area or a catastrophic failure from any cause. Funds to repair the road damage caused by the floods in question are available from this source. We now estimate that there will be more than sufficient funds to cover the necessary work authorized by this section.

Senator SPONG. May I interrupt you here, Mr. Maloney?

Are these the funds to which Mr. Russell had reference when he testified earlier?

Mr. MALONEY. This morning's testimony from the Forest Service?

Senator SPONG. It was from the Office of Emergency Preparedness.

Mr. MALONEY. Mr. Russell's reference was to the Public Law 81–875 funds, which are not a part of these funds, no, sir.

Moreover, under section 120(f) of title 23, United States Code, as amended by the Federal-Aid Highway Act of 1968, the Federal Government can bear 100 percent of the cost of replacing the damaged highways and structures on the Federal-aid system with comparable facilities, if this is found to be in the public interest.

In view of the magnitude of the California destruction, Mr. F. C. Turner, now Federal Highway Administrator—in his then capacity as Director of Public Roads—has already determined that the Federal Government will pay 100 percent of these replacement costs. A copy of Mr. Turner's letter of March 14, 1969, informing Governor Reagan of the decision, is appended for your information.

(The letter referred to follows:)

MARCH 14, 1969.

Hon. RONALD REAGAN,
Governor of California,
Sacramento, Calif.

DEAR GOVERNOR REAGAN: As requested, I concur in your proclamation of January 30, 1969, that an emergency exists throughout the State of California except for San Diego, Imperial, Modoc, Lassen, Nevada, Placer and El Dorado Counties as a result of recent and continuing storm and flood conditions. Our engineers working closely with your Division of Highways confirm that serious damage exists to highways on the Federal-aid systems due to storms and flooding beginning January 17 and continuing through February.

For the reasons listed in the Division of Highways letter of February 21, I find it to be in the public interest for the Federal share of projects for repair or reconstruction to be 100 percent of the costs thereof as provided by Sections 120(f) and 125 of Title 23 USC as amended.

The California Division of Highways is being advised of this concurrence through regular channels.

Sincerely yours,

F. C. TURNER,
Director of Public Roads.

In addition, the Bureau of Public Roads, in cooperation with the Forest Service, has already placed into effect simplified procedures to insure the expeditious repair of forest roads and trails in the disaster

areas, with 100 percent financing under the provisions of title 23, United States Code.

A second source of assistance is the Federal Disaster Act, Public Law 81–875, on which Mr. Russell testified (42 U.S.C. 1855). This legislation provides for "emergency repairs" of and "temporary replacements" for essential public facilities. We anticipate that funds under this act will be available from the Office of Emergency Preparedness to make repairs to highways and roads off the Federal system.

The bill presently before you, however, would make a significant departure from the congressional policy embodied in the Disaster Act. Section 2 of the bill would authorize $30 million in additional Federal funds for the permanent repair and reconstruction of highway facilities off the Federal-aid systems. The Disaster Act, as we noted, authorizes only temporary repairs.

We oppose this change in policy for two reasons.

First, as we have discussed, the Federal Government is already committed to providing 100-percent financing for highway construction and repairs in the California disaster areas on highways with direct Federal involvement. Upwards of $50 million are estimated to be involved in these emergency programs. In addition, there are the millions of dollars available from the Office of Emergency Preparedness for temporary assistance in restoring local streets. While permanent repairs to local streets and highways may be needed eventually, the Disaster Act will provide necessary temporary relief until State and local resources can be provided for this purpose.

Secondly, these local roads are routed, designed, and constructed entirely by the State and local governments to fit local standards and needs. We think it would be an unwise precedent to commit the use of Federal funds for permanent highway construction undertaken on this basis. We believe the Disaster Act's policy of only temporary repairs for road projects outside the Federal-aid program, outside Federal systems, to be a sound one. We would not favor a departure from that long-standing policy.

To conclude, let me state that we recognize the magnitude of California's problems and are prepared to provide substantial financial assistance to that State. We must, however, recommend against enactment of this measure for the particular reasons I have outlined.

Thank you very much for your attention.

Senator Spong. Thank you very much, Mr. Maloney.

I might say these questions are asked in behalf of Senator Murphy, and we appreciate your responses.

Would you still be opposed to section 2 of S. 993 if the State of California were required to match any Federal funds?

Mr. Maloney. Yes. I think we are opposed to the principle of taking Federal funds off of the Federal-Aid Highway System and those other roads which are a Federal road responsibility, and putting Federal assistance into purely local roads. Section 120, as it was amended in the 1968 act, has given us the opportunity of going above the usual matching ratio on Federal Highway System roads up to 100 percent, and that move we have made in California. The $56 million estimate, re-

ported in our testimony as damage to Federal-aid highway facilities and to other Federal roads and trails, includes $32 million damage to highways in California which are on the Federal-aid primary and seconday systems. With the normal matching ratio in California on Federal-aid projects, the State pays 41 percent and the Federal Government pays 59 percent. The State therefore would have been required to provide $13 million or more in matching money for reconstruction work on these systems if the usual matching ratio had not been changed by the Director of Public Roads in his finding of public interest. Since the Federal share on these highways has been increased, it is our position that we should not be giving additional Federal funds for work on highways off the Federal-Aid System.

Senator SPONG. Would you favor Federal Government assistance for the permanent repair of roads not in the Federal system if this were authorized by an amendment to Public Law 81–875?

Mr. MALONEY. I am sorry. I didn't understand that.

Senator SPONG. Would you favor Federal Government assistance for the permanent repair of roads not in the Federal system if this were authorized by an amendment to Public Law 81–875?

Now, I think the purpose of Senator Murphy's question is to determine your attitude toward an amendment to the 81–875 Federal Disaster Act to provide for the use of permanent repair of roads not in the Federal system.

Mr. MALONEY. So far as I can give an answer now, the answer would be no, we would not favor that amendment. I don't make those decisions. If that amendment were offered, that decision would be made by others. The answer would be no, so far as I can give it now.

Senator SPONG. I would assume that if Senator Murphy does offer this amendment, we would ask for a further opinion from the Bureau of Public Roads.

Mr. MALONEY. Yes, sir.

Senator SPONG. On page 4 of your statement, at the end of the first paragraph, you state that the Disaster Act will provide necessary temporary relief until State and local resources can be provided for this purpose.

It is our information that only $8 million thus far has been provided for this purpose. Has any of this been spent for roads and highways?

Mr. MALONEY. I can't respond to that, Mr. Chairman, because I don't know what those funds covered. I heard the testimony of $8 million this morning. In an estimate that I saw recently, prepared by Mr. Moe of the California Department of Public Works, his off-system estimate shows a potential of $13 million of Federal assistance in a total program including State and local funds of about twice that amount, $24 million.

I can't answer how much of this $8 million was on roads and how much was for other emergency repair by the Office of Emergency Preparedness. I just don't know. That program operates entirely under that Office. We work with them. We give them full assistance in estimating highway damages, but it is their program, and I don't have that answer.

Senator SPONG. Thank you very much, Mr. Maloney.

Mr. Salzman, do you have anything to add?
Mr. SALZMAN. No, sir.
Senator SPONG. Thank you for your presentation.
Mr. Rogerson.

STATEMENT OF HOWARD ROGERSON, DEPUTY ASSOCIATE ADMINISTRATOR, FINANCIAL ASSISTANCE, ACCOMPANIED BY CLARENCE COWLES, DIRECTOR, DISASTER LOANS

Mr. ROGERSON. Senator, I have Mr. Clarence Cowles with me this morning, who is the Director of our Office of Disaster Loans at the Small Business Administration.

Mr. Cowles has had over 30 years of disaster loan experience both with SBA and its predecessor agencies.

I have a short prepared statement, which I would like to read for the record.

You have asked to hear testimony on behalf of the Small Business Administration on S. 993 for the rehabilitation of those areas of the State of California which have been ravaged by storms, floods, landslides, and high waters during December 1968 and January and February of this year.

Of particular concern to SBA are the provisions of section 5 of the bill, prescribing the manner in which the disaster loan program, embodied in section 7(b)(1) of the Small Business Act, is to be administered for the benefit of persons whose property has been destroyed or damaged in the prescribed disasters. In this connection, the subject bill would introduce three special features, each of which is objectionable to SBA.

The first of these is a "forgiveness" feature, applicable to that part of any loan in excess of $500. At his option, the borrower could obtain (1) a cancellation of the principal, up to a maximum of $2,500; or (2) a waiver of interest due on the loan, in a total amount of not more than $2,500, over a period of not to exceed 3 years.

Only once in the long history of the SBA disaster loan program and of its predecessor agency has such a concession been granted to borrowers. This solitary exception is to be found in the legislation (Public Law 89–339) enacted in 1965 to assist the victims of Hurricane Betsy. Such a departure from the norm was justified by the fact that the great majority of the Betsy borrowers were persons living close to the poverty level. To my knowledge at least, such dire need does not exist in the instant case.

The second objectionable feature to which I refer is a provision allowing loans to be made "without regard to whether the required financial assistance is otherwise available from private sources." In other words, the benefits of the disaster loan program, an emergency measure conducted at substantial loss to the Government to help those who cannot help themselves, would be made available to those who have no need to rely on Federal credit.

We feel that the agency should have discretion in this matter so as to screen out those who have no reasonable need for disaster loan assistance from the Federal Government.

The third objectionable feature is that during the first 3 years of the term of a loan, the borrower could obtain a waiver of interest payments and a deferral of principal payments. In contrast to the first waiver provision, discussed above, there would be no dollar limitation. It is hardly necessary to add, in view of what I have already said, that I can see no justification for this proposal.

About a year ago, regulations were issued to improve overall disaster program management and to focus the disaster loans on those most in need. The regulations were intended to assure that the benefits of this subsidy program reach those disaster victims who are in greatest need of recovery assistance. Those capable of financing their own recovery without Government assistance are expected to do so. This is the program that we have in California today. It will serve those who cannot help themselves, and can, therefore, provide significant relief.

As of today we have declared seven counties as disaster areas, and as our declarations cover adjacent counties, there are 30 counties where disaster loan assistance is available from SBA. The original declaration was made on January 21, 1969, and the latest on March 3, 1969. In addition to our regular regional offices at Los Angeles, San Diego, and San Francisco, we have operated in 15 other locations so as to eliminate long travel by disaster victims.

The President has also declared a major disaster in 37 counties, making economic injury-type loans to small businesses available from the Small Business Administration in addition to the physical injury assistance that is available by virtue of the SBA declaration.

Through March 20, 1969, in the State of California, the Small Business Administration has interviewed 4,456 disaster victims and given out 3,283 applications. We have accepted 456 home loan applications for $2,733,308 and 109 business loan applications for $2,486,640. Of the loans processed, we have approved 193 home loans for $1,016,219 and 24 business loans for $130,800. Thirty-four home loans have been declined, totaling $92,285, and 13 business loans declined, for $407,600. There have been five applications withdrawn.

That is the end of our prepared statement. If you have questions, we will be happy to try to respond.

Senator SPONG. I have a lengthy one here on which I would like you and Mr. Cowles to comment.

S. 993 as printed recommends a "forgiveness" of $2,500 in principal repayments or the same amount in interest payments over a period not to exceed 3 years, maintains the 3-percent interest rate for all applicants who qualify for a loan, and rescinds the SBA regulation requiring a person to apply for a loan through a private source and obtain an SBA loan only if refused.

On Tuesday, Senator Murphy recommended that this be changed so that the $2,500 "forgiveness" and 3 percent interest would only apply to low-income persons, as defined by the Administrator of the SBA; that all other persons receiving loans pay the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more; that a person may be eligible irrespective of his ability to obtain a loan through a lending institution, and irrespective of his personal income or assets.

Would you gentlemen comment on this proposal?

Mr. ROGERSON. Yes, sir. Fortunately, we have seen, I think, what you are referring to, sir, just a few minutes ago, and we have been discussing it prior to our appearing.

I think the agency would still object to providing disaster loan assistance to people who do not need it, which would be one feature of even the amendment, particularly with respect to the availability of cash or marketable securities to take care of their own disaster damage.

As I said in the prepared statement, we think the agency should have the flexibility to make this kind of determination when a loan application is made and where personal assets are revealed. We can make a judgment as to the availability of private credit and the ability of this particular individual to either handle it himself or to pay prevailing interest rates through normal commercial sources.

Now, with respect to the forgiveness and interest rate waiver provisions, these certainly, in the amendment, have been greatly restricted over the provisions in the printed bill.

Furthermore, it is, even with respect to low-income people, more restrictive than in the printed bill.

There is an election between cancellation of principal or waiver of interest, and there is not the additional interest waiver provision that is provided in the printed bill.

Certainly this is, with respect to low-income people, less objectionable from the agency's standpoint. I feel the agency would still object.

When we testified on the Southeastern Disaster Relief Act, I think it was called, the Hurricane Betsy bill, with similar provisions, we favored the legislation with considerable reservation, hoping this was the last time the Federal Government had to approach disaster relief in this manner.

I personally think when you start mixing a program of grants with a program of loans that the grant aspects rub off on the loan, and provides an agency like SBA with considerable difficulty in administering a program and collecting the loan.

Just to repeat, it is certainly less objectionable. We have felt strongly that our current disaster loan interest rate of 3 percent contained in our statute—the statutory maximum—is out of line with reality today. When this interest rate was provided in the statute, the cost of money to the Government was about 1½ percent. Today, I believe that the cost of money on obligations of this maturity, the 20- to 30-year range, which is our disaster loan range, would be 5½ percent.

So I personally would favor that aspect of the bill, increasing for the general public the interest rate to 5½, or according to the formula provided in the legislation.

As a personal matter, perhaps the lower interest rate to low-income individuals is a feature that we would have no great objection to. However, adding on top of that the forgiveness and interest waiver provisions, I think, again would still be objectionable to the agency.

Senator SPONG. Your comments are responsive to the inquiry. Still, I would offer you the opportunity, in light of the fact that the amendment has been introduced, to submit a modified statement if you so

desire, bearing in mind this suggested amendment. I think it would be very helpful to the subcommittee.

Mr. Cowles, do you have anything to add to what Mr. Rogerson has said?

Mr. COWLES. I think he has stated pretty well my position with respect to it, Senator. I have nothing to add.

Senator SPONG. Thank you, we appreciate your testimony here this morning.

The subcommittee is in recess until the call of the chairman.

(Whereupon, at 11:10 a.m. the subcommittee recessed, to reconvene at the call of the Chair.)

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LEGISLATIVE HISTORY
Public Law 91-79
H. R. 6508

TABLE OF CONTENTS

Index and summary of H. R. 6508.....1

INDEX AND SUMMARY OF H. R. 6508

Feb. 6, 1969	Rep. Johnson, Calif., and others introduced H. R. 6508 which was referred to House Public Works Committee. Print of bill as introduced.
Feb. 7, 1969	Sen. Murphy introduced S. 993 which was referred to Senate Public Works Committee. Print of bill as introduced.
Mar. 26, 1969	Sen. Bayh and others introduced and Sen. Bayh discussed S. 1685 which was referred to Senate Public Works Committee. Print of bill as introduced and remarks of Sen. Bayh.
June 3, 1969	Senate committee voted to report S. 1685.
June 11, 1969	House committee voted to report H. R. 6508.
June 19, 1969	Senate committee voted to report S. 1685.
June 23, 1969	House committee reported H. R. 6508 with amendments. H. Rept. 91-322. Print of bill and report.
June 25, 1969	Senate committee reported S. 1685 with amendment. S. Rept. 91-280. Print of bill and report.
July 1, 1969	House Rules Committee reported resolution for consideration of H. R. 6508. H. Res. 463. H. Rept. 91-347. Print of resolution and report.
July 8, 1969	House agreed to consideration of H. R. 6508.
	Senate passed S. 1685 as reported.
July 9, 1969	House passed H. R. 6508 as reported.
July 10, 1969	Senate passed H. R. 6508 with amendment (inserting the language of S. 1685).
July 15, 1969	House conferees were appointed.
Aug. 5, 1969	Senate conferees were appointed.
Sept. 12, 1969	Conferees agreed to file a report.
Sept. 17, 1969	House received conference report on H. R. 6508. H. Rept. 91-495. Print of report.
Sept. 18, 1969	Both Houses agreed to conference report.
Oct. 1, 1969	Approved: Public Law 91-79.

Hearings: H. Public Works Committee on H. R. 6508
S. Public Works Committee on S. 993

91ST CONGRESS
1ST SESSION

H. R. 6508

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1969

Mr. JOHNSON of California (for himself, Mr. DON H. CLAUSEN, Mr. ANDERSON of California, Mr. MOSS, Mr. MCFALL, Mr. LEGGETT, Mr. EDWARDS of California, Mr. GUBSER, Mr. TALCOTT, Mr. TEAGUE of California, Mr. WALDIE, Mr. SISK, Mr. MATHIAS, Mr. SMITH of California, Mr. HAWKINS, Mr. LIPSCOMB, Mr. REES, Mr. BROWN of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. PETTIS, Mr. MCCLOSKEY, Mr. HOLIFIELD, Mr. VAN DEERLIN, and Mr. TUNNEY) introduced the following bill; which was referred to the Committee on Public Works

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, landslides, and high waters during December 1968 and January and February 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in

the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount not exceeding $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for the fiscal year ending June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be

incurred for restoring roads in any stage of construction as authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969 in California, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the storms, floods, landslides, and high waters but which, because of changed conditions resulting from the storms, floods, landslides, and high waters, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the storms, floods, landslides, and high waters, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the

increase in the cost of such construction as the result of the storms, floods, landslides, and high waters is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (5) of section 5 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(5) For forest development roads and trails, $187,500,000 for the fiscal year ending June 30, 1970, of which not to exceed $17,500,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the State of California necessary because of the storms, floods, landslides, and high waters in such State during December 1968 and January and February 1969, and $170,000,000 for the fiscal year ending June 30, 1971."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of tim-

ber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 5. In the administration of the disaster loan program under section 7 (b) (1) of the Small Business Act, as amended (15 U.S.C. 636 (b)), in the case of property loss or damage in the State of California resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 (A) cancel up to $2,500 of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years; and (2)

may make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such loan for the first three years of the term of the loan.

SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, at the borrower's option on that part of any loan in excess of $500 (1) cancel up to $2,500 of the loan, or (2) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years without regard to whether the required financial assistance is otherwise available from private sources.

SEC. 7. This Act, other than the amendment made by section 3(c), shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "California Disaster Relief Act of 1969".

91ST CONGRESS
1ST SESSION

H. R. 6508

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

By Mr. JOHNSON of California, Mr. DON H. CLAUSEN, Mr. ANDERSON of California, Mr. MOSS, Mr. MCFALL, Mr. LEGGETT, Mr. EDWARDS of California, Mr. GUBSER, Mr. TALCOTT, Mr. TEAGUE of California, Mr. WALDIE, Mr. SISK, Mr. MATHIAS, Mr. SMITH of California, Mr. HAWKINS, Mr. LIPSCOMB, Mr. REES, Mr. BROWN of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. PETTIS, Mr. MCCLOSKEY, Mr. HOLIFIELD, Mr. VAN DEERLIN, and Mr. TUNNEY

FEBRUARY 6, 1969
Referred to the Committee on Public Works

91ST CONGRESS
1ST SESSION

S. 993

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 1969

Mr. MURPHY introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, landslides, and high waters during December 1968 and January and February 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works proj-

ects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount not exceeding $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for the fiscal year ending June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as

existed prior to the damage resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969 in California, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the storms, floods, landslides, and high waters but which, because of changed conditions resulting from the storms, floods, landslides, and high waters, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the storms, floods, landslides, and high waters, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the storms, floods, landslides, and high waters is less than $500 more than the con-

struction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (5) of section 5 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(5) For forest development roads and trails, $187,500,000 for the fiscal year ending June 30, 1970, of which not to exceed $17,500,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the State of California necessary because of the storms, floods, landslides, and high waters in such State during December 1968 and January and February 1969, and $170,000,000 for the fiscal year ending June 30, 1971."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any

area of California damaged by storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 5. In the administration of the disaster loan program under section 7 (b) (1) of the Small Business Act, as amended (15 U.S.C. 636 (b)), in the case of property loss or damage in the State of California resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 (A) cancel up to $2,500 of the loan, or (B) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years; and (2) may make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise

available from private sources, and may waive interest payments and defer prineipal payments on sueh loan for the first three years of the term of the loan.

SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the ease of property loss or damage in the State of California resulting from storms, floods, landslides, and high waters during December 1968, and January and February 1969, the Seeretary of Agrieulture shall, to the extent sueh loss or damage is not eompensated for by insurance or otherwise, at the borrower's option on that part of any loan in exeess of $500 (1) eaneel up to $2,500 of the loan, or (2) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exeeed three years without regard to whether the required finaneial assistanee is otherwise available from private sourees.

SEC. 7. This Act, other than the amendment made by seetion 3(e), shall not be in effeet after June 30, 1970, except with respect to payment of expenditures, obligations, and eommitments entered into under this Act on or before sueh date.

SEC. 8. This Aet may be eited as the "California Disaster Relief Act of 1969".

91st CONGRESS
1st SESSION

S. 993

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

By Mr. MURPHY

FEBRUARY 7, 1969
Read twice and referred to the Committee on Public Works

91ST CONGRESS
1ST SESSION

S. 1685

IN THE SENATE OF THE UNITED STATES

MARCH 26, 1969

Mr. BAYH (for himself, Mr. BIBLE, Mr. BOGGS, Mr. BURDICK, Mr. FONG, Mr. GRAVEL, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. KENNEDY, Mr. MCGEE, Mr. MCGOVERN, Mr. MAGNUSON, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MONDALE, Mr. MONTOYA, Mr. MUSKIE, Mr. NELSON, Mr. RANDOLPH, Mr. RIBICOFF, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH) introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To provide additional assistance for areas suffering a major disaster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal

assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

(b) In the administration of subtitle III of the Consolidated Farmers Home Administration Act of 1961, relating to emergency loans, any application for a loan thereunder in an amount of $30,000 or less may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the Secretary of Agriculture finds that the required financial assistance can be met by private, cooperative, or other responsible sources (including loans the Secretary of Agriculture is authorized to make or insure under any other provision of law).

GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

SEC. 4. (a) The President is authorized in accordance with the provisions of this section to provide assistance to the States in developing and carrying out comprehensive and practicable programs for assisting homeowners and business concerns suffering property losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the territory of Guam, and American Samoa.

(b) From the sums appropriated pursuant to subsection (i) the President is authorized—

(1) to make grants to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing a program referred to in subsection (a) : *Provided*, That the total grants made to any State under this paragraph shall not exceed $250,000; and

(2) to make grants to any State, upon the basis of an approved State plan, to pay not to exceed 50 per centum of the cost of carrying out such a program.

(c) Any State desiring to participate in the grant program under paragraph (2) of the preceding subsection shall designate or create an agency which is specially qualified to

administer such a disaster relief program, and shall, through such agency, submit a State plan which shall—

(1) set forth a comprehensive and detailed State program for assistance to homeowners and business concerns suffering property losses as a result of a major disaster;

(2) specify that the homeowner or business concern will assume 25 per centum of the property loss sustained by it as a result of such a disaster, and the State will agree to pay 25 per centum of such loss;

(3) provide that no homeowner or business concern shall be eligible to participate in such a State program unless the damage to the property of such owner or concern resulting from such a disaster exceeds 5 per centum of the value of such property prior to such a disaster, or $100, whichever is the greater;

(4) specify that the maximum amount of loss to be shared jointly by the homeowner or business concern, the State, and the Federal Government under such a program shall be $30,000 in the case of a homeowner, and $100,000 in the case of a business concern;

(5) provide a means of appraisal to establish the fair market value of the property of such owner or concern damaged or destroyed as a result of such a disaster;

(6) provide assurances that equitable treatment will be accorded all eligible property owners;

(7) contain satisfactory evidence that the State will adequately supervise such program;

(8) provide such fiscal control and fund accounting procedures as the President deems necessary; and

(9) set forth such further information as the President may by regulation require.

(d) The President shall approve any State plan which complies with the provisions of subsection (c) of this section.

(e) No grant may be made under this section—

(1) for any loss for which insurance is available and collectible in such State at reasonable rates;

(2) for any loss in a State which does not have approved flood-plain zoning controls or other similar preventive measures in force; and

(3) to any public agency or organization for the loss of any property owned by such agency or organization.

(f) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section, and to prevent the waste or dissipation of Federal funds.

(g) Each State receiving assistance under this section

shall, through its designated State agency, make such reports as the President may require and each such agency shall, upon request of the President, make available its books and records for audit and examination.

(h) The President may exercise the powers conferred upon him by this section either directly or through such Federal agency as he may designate.

(i) Such sums as may be necessary to carry on the purposes of this section are hereby authorized to be appropriated.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be pro-

vided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or

lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

(d) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 6. (a) The Secretary of Agriculture is authorized to make grants to farmers whose farmlands or livestock have been damaged as the result of a major disaster. Such grants shall be made (1) for the purpose of assisting such farmers to prepare such lands for cultivation and to restore such lands or livestock to normal productive capacity, and (2) only in the case of lands on the farm normally used in the production of an agricultural crop. No grant shall be made hereunder to assist in restoring lands or livestock to production unless the Secretary determines that the cost of preparing

such lands for production has been increased as a direct result of such major disaster.

(b) The amount of the grant authorized under this section in the case of any farmer shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged lands for cultivation and restoring them to normal productive capacity, and in no event shall the amount of any such grant in the case of any farmer exceed $10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

(d) Such sums as necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 7. (a) The Office of Emergency Planning is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 8. (a) The Office of Emergency Planning is author-

ized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 9. (a) The Director of the Office of Emergency Planning is authorized, upon application, to make payments to any person in reimbursement of expenses, not otherwise compensated for, which were incurred by such person in connection with the removal of debris deposited on privately owned lands as the result of a major disaster. As used in this section, the term "person" includes an individual, corporation, association, firm, organization, or local public body.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

EFFECTIVE DATE

SEC. 10. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

91ST CONGRESS
1ST SESSION

S. 1685

A BILL

To provide additional assistance for areas suffering a major disaster.

By Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BURDICK, Mr. FONG, Mr. GRAVEL, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JORDAN of Idaho, Mr. KENNEDY, Mr. McGEE, Mr. McGOVERN, Mr. MAGNUSON, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MONDALE, Mr. MONTOYA, Mr. MUSKIE, Mr. NELSON, Mr. RANDOLPH, Mr. RIBICOFF, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH

MARCH 26, 1969
Read twice and referred to the Committee on Public Works

and would have general corporate powers. As long as the telephone bank is an agency of the United States it would be authorized to use the REA services, facilities and employees, be subject to the supervision of the Secretary of Agriculture, and to specified provisions of various Federal laws.

Governor

The Administrator of REA serves as chief executive officer-Governor of the telephone bank.

Board of directors

Management of the telephone bank is vested in a 13-member board of directors which includes the REA Administrator, the Governor of the Farm Credit Administration, and five members to be designated by the President, three of whom shall be from the Department of Agriculture, and two from the general public. The six other members of the board will be selected from the directors, managers, and employees of rural telephone system. Initially these six will be appointed by the President but later will be elected, three from among the cooperative rural telephone borrower systems and three from among the commercial rural telephone borrower systems. The board will prescribe by-laws, regulate the manner in which the bank shall conduct its business, and will be required to meet at least four times each year and make an annual report to the Congress.

Capitalization

Federal equity capital will be furnished the bank from the net collection proceeds of the rural telephone account (Title III). This capital, for which stock will be issued, is authorized to be appropriated over a ten year period in amounts up to $30 million annually and until the total capitalization of $300 million is reached. The Federal capital contribution, evidenced by the issuance of Class A stock, will bear annual interest in the amount of 2% until repaid in accordance with the bank's charter. Borrowers from the bank will furnish equity capital through the purchase of stock in amounts equal to 5% of their borrowings.

Classes of stock

The capital stock of the telephone bank will consist of three classes—A, B, and C. Class B and C stock will be voting stock.

Class A stock shall be redeemed and retired as soon as practicable after an initial 15-year period, or after the total of outstanding class A and B stock reaches $400 million. The minimum amount of Class A stock then to be retired would be an amount equal to 5% of the bank loans made each year. Class A stock shall be entitled to a return, payable from income, at the rate of 2% per annum on the amounts of Class A stock actually paid into the telephone bank. Such return shall be cumulative and shall be payable annually into miscellaneous receipts of the Treasury.

Class B stock will be issued to recipients of bank loans. Each borrower will be required to invest in the bank a sum equivalent to 5% of the total amount of the loan. Holders of this stock would not receive dividends but would be entitled to patronage refunds.

Class C stock will be available for purchase by rural telephone systems eligible to borrow from the bank and organizations controlled by such borrowers. This stock will be entitled to dividend from the income of the bank, but such dividend shall not exceed the current average rate payable on telephone debentures.

Borrowing power

The telephone bank is authorized to obtain funds through public or private sale of its debentures, provided that the amount of outstanding debentures does not exceed eight times the paid-in capital and retained earnings of the bank. Debentures would be issued at interest rates, and with terms and conditions determined by the bank's board of directors.

Lending power

The bank Governor is authorized to make bank loans to corporations or public bodies which are REA telephone borrowers. Loans will be made for periods not exceeding 50 years for the same purposes for which loans are made under Section 201 of the original Act, and for the financing, or refinancing, the construction, improvement, expansion, acquisition, and operation of telephone lines, facilities, or systems, in order to improve the efficiency, effectiveness, or financial stability of a borrowers system. Two types of loans will be available to borrowers from the telephone bank—an intermediate type loan and a full market rate loan. Eligible borrowers will receive loans carrying the intermediate interest rate, which shall be determined by the current average market yield on marketable securities of the United States having maturities comparable to those of the loans, but with an interest ceiling of 4%. Authority to make "intermediate" loans will terminate after an initial 15-year period. Full market loans will be available to borrowers at interest rates reflecting the average rate payable on the bank's debentures and allowance for estimated losses. Telephone systems with an average subscriber density of three or fewer per mile would be entitled to loans under Section 201 of the Act.

Loan limitations

Loans to finance acquisition of telephone facilities shall be approved by the Secretary of Agriculture. Such acquisitions must improve the efficiency, effectiveness or financial stability of the borrower's system and the size of each acquisition shall not exceed the borrower's existing system at the time it receives its first bank loan. Certificates of convenience and necessity from States with regulatory bodies, or a determination that there will be no duplication of lines, is required for telephone loans. No porition of any loan may be utilized to finance political activities.

Conversion of bank ownership and control

When, through retirement of the government's investment and the increase in borrower investment, the amount of stock held by the government represents less than one-third of the bank's capital, the process of converting the bank to borrower control and operation will begin: The REA Administrator will cease to be the Governor; the bank will cease to be a government agency; and the board of directors will consist of the REA Administrator and the FCA Governor plus six members elected by rural telephone voting stockholders of the bank. Special limitations on loan powers are eliminated after all government-held stock has been retired. Operations of the bank will continue to be subject to Congressional review.

S. 1685—INTRODUCTION OF BILL TO PROVIDE ASSISTANCE FOR MAJOR DISASTERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to provide additional assistance for areas suffering a major disaster. The sole purpose of this bill is to help alleviate the severe losses to property and livelihood so often inflicted on the unfortunate victims of unforeseen natural catastrophes.

Damages to State and local governmental agencies caused by floods, tornadoes, hurricanes, earthquakes, and other major disasters have been eligible for Federal assistance on a continuing, standby basis since Congress enacted the basic disaster relief law in 1950. The same has not been true, however, for the private sector. Except for special acts adopted retroactively from time to time following a few especially devastating disasters, until 1966 losses incurred by private individuals, families, or firms were almost wholly dependent on charitable efforts for help. In the latter year, legislation was enacted which permits long-term loans at low interest rates for certain kinds of losses, and in 1968 a flood insurance program was authorized, but much still remains to be done to fill in the gaps and to provide supplementary aid if individual hardships are to be helped substantially.

My involvement in disaster relief legislation dates back to the spring of 1965. A series of destructive tornadoes swept over the Midwest in April of that year and wreaked great havoc over a wide area, including my home State of Indiana. After personally viewing the enormous losses, both in life and property, caused by this calamity, I invited a number of Senators and staff members to meet with me to determine what actions might be taken to provide relief for these unfortunate people. As a result of considerable deliberation and consultation with experts in the field, this group formulated a major disaster bill—S. 1861—which was introduced on April 30 of that year with the cosponsorship of nearly 40 other Senators.

The primary philosophy motivating this proposal was to make sure that statutory authority existed which would enable the Federal Government to extend significant aid of all types to disaster victims immediately after a Presidential declaration without having to wait several months for specific congressional action. Consequently, the bill proposed long-term, low-interest loans, refinancing mortgage obligations, supplementary Federal sharing grants, emergency shelter and housing assistance, and standby aid for damages to schools, highways, and unincorporated communities. Although this bill was adopted by the Senate on July 22 of that year, it was not until October 17, 1966, that a shortened version passed the House and became law—Public Law 89-769—a few days later.

Unfortunately, several basic sections of the original bill were not included in the final version of the Disaster Relief Act of 1966. While the loan adjustment and several other provisions were adopted largely intact, and a very commendable section extending help for the repair of disaster damages to higher education facilities was added, a number of others were eliminated. Consequently, on January 12, 1967, 30 other Senators joined me in introducing a second bill—S. 438—which was designed to rectify these deletions. Hearings were held on this bill in June and July of that year, and it was reported out with some modifications by the Public Works Committee on April 2, 1968, but no further action was taken on it during the 90th Congress. In view of the need which still exists for supplementary disaster relief legislation, I have decided to submit a new, updated, and partly revised bill for further consideration this year.

The bill which I am introducing today would provide meaningful additional assistance for those who are subjected to the ravages of natural disasters. First, the Federal loan adjustment feature of the 1966 act would be made more equitable and useful by providing that disaster loans for homeowners and business concerns could be made without regard to whether or not financing could be obtained elsewhere. Although the Senate did approve this section by adopting on May 28, 1968, two amendments to the Housing and Urban Development Act of 1968, they were eliminated in conference and did not become part of the final law.

Hearings which were held by a subcommittee of the Public Works Committee as well as evidence which has come directly to me indicates that application of the present law tends to penalize the person with a good credit rating and favor the one who may be a bad risk. In order to qualify for a Small Business Administration or Farmers Home Administration disaster loan, a victim now must first prove that he has been refused credit by private institutions.

This means that a man who has regularly paid his debts and has established an acceptable credit rating will have to borrow funds to repair or rebuild his home or business at much higher interest rates and often for shorter periods than one who has ben a wastrel or whose business is failing. The latter may qualify for 30- or even 40-year loans or mortgage refinancing at 3 percent while the former, who has conscientiously and regularly met his obligations in full, perhaps at great sacrifice, will have to assume the burden of 7 percent or higher refinancing costs. This gives rise to the patently unfair situation where the owners of two houses or two businesses which are side by side and which suffer equal damage in the same disaster are treated exactly opposite by the Federal Government, even though the real loss will bear as heavily on the resources of one as on the other. It is time to wipe out this completely unjustified distinction.

Secondly, the bill would authorize a new cost-sharing program under which States would be encouraged to develop comprehensive disaster relief plans. Any State establishing an approved disaster plan would be eligible for Federal grants up to 50 percent of the losses sustained in major disasters; State governments and individual owners would each assume 25 percent of the remaining cost. The President could authorize grants up to $250,000 for the purpose of assisting a State in preparing a comprehensive disaster relief plan, which would have to include flood-plain zoning controls. Payments could be made by State administering agencies for losses up to $30,000 in the case of homes and $100,000 for business concerns, but no grant could be made for any damage for which private insurance is available and collectible. The maximum Federal share under the grant program, therefore, would be $15,000 for homes and $50,000 for businesses, which would have to be matched with a maximum of either $7,500 or $25,000 by the State and the homeowner or business owner.

A third important section would expand Federal authority to provide emergency shelter for disaster victims. Where places of residence have been made uninhabitable by a major disaster, the President would be authorized to provide suitable shelter for either owners or tenants who were unable to do so for themselves. For this purpose the President could either purchase or lease housing, including mobile homes, which could be rented in turn to disaster sufferers. Emergency housing of this type could be rented for as long as necessary, and for 1 year the level of charges for it could be adjusted according to financial ability of the renters. A maximum charge of 25 percent of a family's monthly income could be levied for such emergency accommodations.

Again, hearings and other evidence indicate that present Federal authority is not sufficiently broad and unrestricted to handle adequately the staggering housing problems which frequently result from major disasters. This section would make certain that delays and deficiencies now encountered in getting these sufferers prompt and suitable accommodations would not be attributable to any gaps in statutory authority.

Fourth, the bill proposes a new program to help reimburse severe losses suffered by farmers as a result of major disasters. Agricultural producers have not in the past received aid commensurate with the damages which have been caused to their lands and herds by such unavoidable tragedies as tornadoes, floods, blizzards, and earthquakes. Eloquent testimony has highlighted the problems faced by farmers in putting their land back into production or restoring their livestock in the wake of a disaster which has destroyed fences, strewn fields with rubble and debris, ruined crops, washed away topsoil, or brought death to herds. Up to $10,000 would be authorized in grants equal to two-thirds of the cost of restoring lands to cultivation or replenishing livestock herds. The producer would have to bear one-third of the cost up to $15,000 as well as all over that amount.

Hearings disclosed that at present Federal disaster relief agencies are not authorized to render assistance in the removal of pollution-causing debris from inland lakes. There have been occasions in which health and safety hazards resulted from obstructions and contaminating material blown into waters by tornadoes and hurricanes or carried downstream by floods. In order to provide some measure of help in these cases, the bill would authorize the Office of Emergency Planning to make grants to a State or local government in order to help clear such dangerous debris from lakes.

Another section has been added to the bill which would help States suppress grass and forest fires, either on State-owned or privately owned lands, which threaten to become major disasters. Senator JORDAN of Idaho, who proposed this section of the bill, has pointed out that a small conflagration, which might begin either on private or public property, could quickly become a major fire threatening large areas because of the lack of sufficient manpower and equipment to quell it at the start. Such a holocaust, which pays no attention to jurisdictional or ownership boundary lines, can in a short time devour huge quantities of timber and grassland.

Although the U.S. Forest Service employs a sizable number of well-trained, able firefighters and possesses ample, modern equipment, this is often not true in the case of tracts owned privately or even by State and local governments. To meet this need the bill would authorize grants or loans to States which would assist them in combating forest and grass fires, irrespective of land title, in order to help prevent and control the type of disastrous conflagration which swept the Northwest in the summer and fall of 1967.

Another deficiency in the present law is the lack of any assistance for the cost of removing debris deposited on privately owned nonfarm property as the result of a major disaster. Senator YARBOROUGH brought to my attention last year the plight of several landowners who could not secure governmental help in clearing their property of large quantities of material driven there in a hurricane, and he suggested an amendment which is now section 9 of the bill.

In some cases wrecked boats or other large objects were left on the lawns of homeowners who had no means of recourse to collect damages. Costs of such debris removal can be very high, and I concur in the view that it is proper for them to be shared with the general public.

The bill does not provide for any fixed authorization amount for a very simple reason: no one is able to predict the number or severity of disasters which may strike in any one year. Open ended authorization will permit ample leeway for Congress to appropriate sufficient funds from time to time to carry out the specific provisions of the act as required by developments. It is important to remember, of course, that only major disasters declared by the President after a specific request for help has been received from a State Governor would be eligible for assistance.

No accurate estimates can be made of possible costs if the bill were to be enacted. Losses from major disasters have varied considerably from year to year, and there is no way to chart what the future will hold. Moreover, data is not available which would permit an analysis reflecting what the additional cost would have been if the bill had been in force during past years. There do not appear to be any meaningful statistics on uninsured losses incurred by private propertyowners which might have been assisted under terms of the bill. A key factor in this connection is that not all losses would have been eligible for compensation; to the contrary, only those which were not insurable and for which no other benefits had been received could be counted.

It should be stressed also that authorization of a flood insurance program last year in no way reduces the immediate need for this bill. Present indications are that it may be some time before

property owners will be able to secure adequate insurance protection for water damage. In any event, the proposed disaster relief bill would be entirely supplementary and complementary to any such reimbursement. The bill specifically provides that no disaster assistance would be available under the grant program for any loss where insurance is available and collectible. In the meantime there will be continuing need for assistance to those suffering from floods.

There is no danger of duplicating benefits or of payments to those who have other kinds of protection, since the bill specifically prohibits grants for any losses where insurance is available and collectible. Likewise, the Disaster Relief Act of 1966 contained language in section 10 which directs the head of each Federal department or agency administering any disaster relief program to assure that no person, entity, or concern receives any aid for a loss if assistance has been provided under any other program. Until flood insurance becomes generally available, or in those areas or circumstances under which it cannot be obtained, the bill would provide means whereby such losses could be shared in part with the public. Again it should be stressed that help would not be given for the occasional flooded basement, broken window or damaged roof; only in areas of widespread disaster in which great havoc has been caused and massive assistance is needed would the terms of the bill apply.

Some criticism has been aimed in the past at the grant section of the bill because it would provide direct government assistance for private losses. Perhaps it should be recalled that this would not be the first time that the National Government has appropriated funds to reimburse or help citizens. Direct or indirect payments to individuals or companies are not unknown to law. To mention but a few, Congress has made substantial appropriations in the past to compensate for losses, to bolster prices, to encourage land improvements, to divert acreage from production, to subsidize land, air and water transportation, to finance individual higher education, to reimburse hospital and medical costs, and to provide decent housing. To a family whose home has been destroyed it is just as important to provide help in restoring that home as it is to provide assistance for education, health care, or any of the other many programs financed in part through Federal funds.

It seems to me that the important issue is whether the National and State Governments should be willing to assume a portion of the losses suffered by innocent families which have been subjected to the traumatic experience of catastrophic property damages. Private charity can and does lend much help, especially for immediate personal and temporary needs, but it cannot muster sufficient financial strength in a short time to offset the tremendous losses to private property in an extensive disaster area. This is especially true for long-term, major expenses, such as the cost of repairing or rebuilding homes and businesses.

The financial burden of property losses in disasters will eventually fall on one or more persons, families or companies. It may be shared in part by the individual owner, by friends and relatives, by the bank which holds a mortgage, by the insurance company—if there is such protection available—by charitable organizations, as well as by other private or public institutions. Employing public funds to assist those who have incurred sizable losses in major disasters in one sense is something like a system of enforced public insurance. That is, all members of society would help absorb individual losses through small contributions in general taxes rather than through payment of premiums to an insurance company.

Mr. President, the frequency with which destructive floods, tornadoes, hurricanes, earthquakes, and wildfires have in recent years devastated large areas and made thousands homeless graphically illustrates the need for a comprehensive, systematic approach to disaster relief. It is impossible to foretell when or where disasters will strike or the extent of the damage that will be done, yet there can be no doubt that they will continue to occur as they have in the past. Various sections of the Nation, some more than others, and persons in all walks of life and with different means, always suffer in the aftermath of such tragedies.

Nearly 100 major disaster declarations have been made by the President in the last half dozen years and more than $100 million in Federal funds have been extended for direct relief, but much of this aid has gone to restore public facilities. Three very serious major disasters have been declared already this year, and the threat of extensive flooding is so great that the Army Corps of Engineers has obligated more than $2 million for emergency flood preparations.

This Nation has always been generous in coming to the rescue of persons all over the world who have been subjected to serious unexpected misfortunes. No matter what the cause or the place, when thousands have been made homeless, injured or threatened with famine in foreign countries, our people and Government have always responded promptly and fully to appeals for assistance. Yet we have failed to establish a permanent, all-encompassing program which would help restore the property and livelihood of our own citizens who have had their homes or businesses demolished by similar cataclysms.

The purpose of this bill is not to provide a Federal handout; rather, it is to help unfortunate victims, dealt cruel blows by entirely unexpected and unpredictable natural forces, to recover at least some degree of their former economic status and living conditions. Those who involuntarily undergo the awful experience and full fury of a natural disaster may never be able to restore their possessions completely or return untouched to their former way of life, but the American tradition of extending a helping hand to our compatriots and others in time of need is very strong.

Mr. President, I reiterate my plea for prompt and serious consideration of this measure. In time of disaster it is proper for our people to look for help, not only from their neighbors, private organizations, and their own communities, but also from their National Government. Let us complete the job which other Congresses have well begun; let us prepare now for future disasters by adopting adequate legislation to minimize the devastating effects these catastrophies have on the lives and economic well-being of our citizens.

I ask unanimous consent that the bill, together with a brief summary of, and comment on its provisions, be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 1685) to provide additional assistance for areas suffering a major disaster, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1685

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

(b) In the administration of subtitle III of the Consolidated Farmers Home Administration Act of 1961, relating to emergency loans, any application for a loan thereunder in an amount of $30,000 or less may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the Secretary of Agriculture finds that the required financial assistance can be met by private, cooperative, or other responsible sources (including loans the Secretary of Agriculture is authorized to make or insure under any other provision of law).

GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

SEC. 4. (a) The President is authorized in accordance with the provisions of this section to provide assistance to the States in developing and carrying out comprehensive and practicable programs for assisting homeowners and business concerns suffering property losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of *Columbia,* the

Commonwealth of Puerto Rico, the Territory of Guam, and American Samoa.

(b) From the sums appropriated pursuant to subsection (1) the President is authorized—

(1) to make grants to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing a program referred to in subsection (a): *Provided,* That the total grants made to any State under this paragraph shall not exceed $250,000; and

(2) to make grants to any State, upon the basis of an approved State plan, to pay not to exceed 50 per centum of the cost of carrying out such a program.

(c) Any State desiring to participate in the grant program under paragraph (2) of the preceding subsection shall designate or create an agency which is specially qualified to administer such a disaster relief program, and shall, through such agency, submit a State plan which shall—

(1) set forth a comprehensive and detailed State program for assistance to homeowners and business concerns suffering property losses as a result of a major disaster;

(2) specify that the homeowner or business concern will assume 25 per centum of the property loss sustained by it as a result of such a disaster, and the State will agree to pay 25 per centum of such loss;

(3) provide that no homeowner or business concern shall be eligible to participate in such a State program unless the damage to the property of such owner or concern resulting from such a disaster exceeds 5 per centum of the value of such property prior to such a disaster, or $100, whichever is the greater;

(4) specify that the maximum amount of loss to be shared jointly by the homeowner or business concern, the State, and the Federal Government under such a program shall be $30,000 in the case of a homeowner, and $100,000 in the case of a business concern;

(5) provide a means of appraisal to establish the fair market value of the property of such owner or concern damaged or destroyed as a result of such a disaster;

(6) provide assurances that equitable treatment will be accorded all eligible property owners;

(7) contain satisfactory evidence that the State will adequately supervise such program;

(8) provide such fiscal control and fund accounting procedures as the President deem necessary; and

(9) set forth such further information as the President may by regulation require.

(d) The President shall approve any State plan which complies with the provisions of subsection (c) of this section.

(e) No grant may be made under this section—

(1) for any loss for which insurance is available and collectible in such State at reasonable rates;

(2) for any loss in a State which does not have approved flood plain zoning controls or other similar preventive measures in force; and

(3) to any public agency or organization for the loss of any property owned by such agency or organization.

(f) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section, and to prevent the waste or dissipation of Federal funds.

(g) Each State receiving assistance under this section shall, through its designated State agency, make such reports as the President may require, and each such agency shall, upon request of the President, make available its books and records for audit and examination.

(h) The President may exercise the powers conferred upon him by this section either directly or through such Federal agency as he may designate.

(i) Such sums as may be necessary to carry on the purposes of this section are hereby authorized to be appropriated.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be comprised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed exepnse relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

(d) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 6. (a) The Secretary of Agriculture is authorized to make grants to farmers whose farmlands or livestock have been damaged as the result of a major disaster. Such grants shall be made (1) for the purpose of assisting such farmers to prepare such lands for cultivation and to restore such lands or livestock to normal productive capacity, and (2) only in the case of lands on the farm normally used in the production of an agricultural crop. No grant shall be made hereunder to assist in restoring lands or livestock to production unless the Secretary determines that the cost of preparing such lands for production has been increased as a direct result of such major disaster.

(b) The amount of the grant authorized under this section in the case of any farmer shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged lands for cultivation and restoring them to normal productive capacity, and in no event shall the amount of any such grant in the case of any farmer exceed $10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

(d) Such sums as necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 7. (a) The Office of Emergency Planning is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 8. (a) The Office of Emergency Planning is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 9. (a) The Director of the Office of Emergency Planning is authorized, upon application, to make payments to any person in reimbursement of expenses, not otherwise compensated for, which were incurred by such person in connection with the removal of debris deposited on privately-owned lands as the result of a major disaster. As used in this section, the term "person" includes an individual, corporation, association, firm, organization or local public body.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

EFFECTIVE DATE

SEC. 10. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

The summary, presented by Mr. BAYH, is as follows:

PROPOSED DISASTER RELIEF ACT OF 1969—BRIEF SUMMARY OF AND COMMENT ON MAJOR PROVISIONS

Sec. 1. *Citation:* The Act would be cited as the "Disaster of Relief Act of 1969."

Sec. 2. *Definitions:* Retains the standard definition of a major disaster as one which is declared to be such by the President under the Disaster Act of 1950 (42 U.S.C. 1855–1855g). All other provisions of the act would be effective only in those instances where a major disaster has been determined and declared by the President.

Sec. 3. *Federal Loan Adjustments:* Disaster loans for homeowners up to $30,000 or for business concerns up to $100,000 under the Small Business Act, and disaster loans up to $30,000 under the Consolidated Farmers Home Administration Act of 1961, could be made without regard to whether or not the required financial assistance might be provided by private sources.

The purpose of this is to guarantee equal opportunity for all disaster sufferers who apply for disaster loans or readjustments to be treated on the same basis. The 1966 Disaster Act authorizes readjustment of loans for extended periods at minimum interest rates for owners of property severely damaged in major disasters. During the hearings considerable evidence was presented which indicated, however, that previously loans had been denied in some worthwhile cases on the ground that private financing, although at

higher rates and much less favorable terms, had been available. Section 3 would eliminate this kind of discrimination and should have been included with the other loan adjustment provisions.

Sec. 4. *Grants to States for Assistance to Homeowners and Businesses:* A new cost-sharing program would be established to enable homeowners and business concerns sustaining major disaster property losses to seek direct federal assistance. No state could participate in the program unless it first developed a comprehensive disaster relief plan and designated a state agency to administer aid to disaster victims. Grants up to $250,000 could be authorized by the President for the purpose of assisting a state in the preparation of such plans.

In states which had adopted approved disaster relief plans, the federal government could share up to 50% and the state government up to 25% of property losses in major disasters, with a maximum loss limit of $30,000 in the case of homes and $100,000 for business concerns. The property owner would have to bear at least 25% of the loss, and no grant could be made for any damage for which private insurance is available and collectible at reasonable rates. Likewise, no payment could be made for any loss in a state which failed to adopt flood-plain zoning controls.

Sec. 5. *Shelter for Disaster Victims:* The President would be authorized to provide necessary shelter for the owners or tenants of places of residence made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and/or their families. Housing could be acquired or leased, which in turn would be rented to disaster victims for such periods as may be necessary. Rentals for this emergency shelter, including mobile homes, could be adjusted for as long as one year according to the financial ability of the occupants, but in no case would they be required to pay more than 25% of the family's monthly income for such accommodations.

Sec. 6. *Assistance to Farmers in Major Disaster Areas:* A new grant system would be established for farmers who sustain extensive losses in major disaster areas. The Secretary of Agriculture would be authorized to make grants equal to two-thirds of the cost of restoring lands to cultivation or replenishing livestock herds, with the maximum amount paid to any farmer limited to $10,000. Reasonable terms and conditions could be imposed by the Secretary in making such grants, but no payment could be made to a farmer unless the Secretary determined that the cost of preparing lands for production had been increased as a direct result of a major disaster.

Sec. 7. *Lake Clearance:* Grants to States by the Office of Emergency Planning would be authorized for the purpose of enabling them to remove from lakes in disaster areas debris which would contaminate such lakes and which would create conditions hazardous to health and safety.

Sec. 8. *Grass and Forest Fires:* The Office of Emergency Planning would be authorized to make both grants and loans to any State to assist in the suppression of fires on either public or private property which threaten to become major disasters.

Sec. 9. *Debris Removal from Private Property:* The Office of Emergency Planning would be authorized to make payments as reimbursement of expenses incurred for the removal of debris deposited on privately-owned lands as the result of a major disaster.

Sec. 10. *Effective Date:* The Act would apply to all major disasters occurring after December 31, 1968.

S. 1686—INTRODUCTION OF A BILL RELATING TO APPOINTMENTS TO THE U.S. PARK POLICE

Mr. BIBLE. Mr. President, I introduce, for proper referral, a bill relating to age limits in connection with appointments to the U.S. Park Police.

Last week during the National Park Service appropriation hearings, it was pointed out that of the 363 positions authorized for this service 80 vacancies are available for qualified applicants.

One of the reasons, of course, is the restrictions of the Expenditure Control Act of 1968. The second and more restrictive reason is the requirement that applications proceed through regular civil service examinations contrary to the requirements imposed in recruiting for the Metropolitan Police force and other local law enforcement agencies. These agencies have already established age limits for recruits as follows: Alexandria, Prince Georges County, and the District of Columbia have set the age at 29 years. Arlington County at 30 years and Fairfax County and Montgomery County at 31 years. The White House Police are recruited from the Metropolitan Police and the U.S. Park Police.

It would appear to me that if we are to have a U.S. Park Police capable of doing the job it is required to do, a maximum recruiting age similar to the other law enforcement agencies in the area is absolutely necessary.

I would point out, Mr. President, that a similar bill passed the Senate in 1963 and was approved by the House Interior and Insular Affairs Committee, but did not clear that body.

Since adequate law enforcement is more important than ever, I urge early and favorable consideration of this measure.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1686) relating to age limits in connection with appointments to the U.S. Park Police, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1687—INTRODUCTION OF A BILL TO BE KNOWN AS THE DRUG ABUSE EDUCATION ACT OF 1969

Mr. BENNETT. Mr. President, my distinguished colleague in the House, Laurence J. Burton, has introduced a bill to authorize the U.S. Commissioner of Education to set up a program in the elementary and secondary schools to educate our young people on the dangers and uses of drugs. Like our crime rate, we have in drugs a problem that is already reaching critical proportions. Unless we move now to meet the problem head on, the quality of life in this country will be further seriously damaged by elicit drug use.

It is the responsibility and burden of all Americans to meet the challenge head on. I can not emphasize strongly enough that it is primarily a family obligation. I believe every American parent should acquaint himself with the dangers of elicit drug use and impress upon their children the consequences that may befall a teenager who experiments with them. However, not all of the problems can be met in the home, and a unique opportunity exists for our schools to make a valuable contribution in this field. Because drug abuse is a national problem and because many of the narcotic drugs flow in interstate commerce, it is reasonable that the Federal Government now provide new machinery for combating this problem.

Consequently, I am introducing the Drug Abuse Education Act of 1969, which will authorize the U.S. Commissioner of Education to make grants to our public schools and other institutions for the purpose of setting up and conducting educational programs regarding drug use.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1687) to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs and for other related educational purposes, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1688—INTRODUCTION OF A BILL TO ESTABLISH THE DINOSAUR TRAIL NATIONAL MONUMENT NEAR GLEN ROSE, TEX.

Mr. YARBOROUGH. Mr. President, today I introduce, for appropriate reference, a bill to establish the Dinosaur Trail National Monument near Glen Rose, Tex.

This bill would authorize a national monument to protect the 135-million-year-old dinosaur tracks which have been preserved in the limestone bed of the Paluxy River, southwest of Fort Worth. These footprints can be clearly seen in the natural rock that forms the bed of the beautiful little river, and are believed to be the most numerous and best-preserved tracks in the world.

During the 90th Congress, my colleagues Congressmen BOB POAGE, of Waco, and JIM WRIGHT, of Fort Worth, sponsored House bills to create this national monument. I introduced a companion Senate bill, S. 1113, to protect this unique natural phenomenon. The citizens of Glen Rose and Somervell County also favored the preservation of these tracks as a national monument.

Mr. President, no action was taken on this bill during the last Congress. However, on March 25, 1969, the Department of the Interior announced that the Texas dinosaur site on the Paluxy River has been declared eligible for inclusion in the

National Registry of Natural Landmarks by Secretary of the Interior Walter J. Hickel. It is commendable that the Park Service has recognized the significance of this area, but I do not think that recognition as a national landmark is enough.

About 30 dinosaur tracks are said to be visible today, left by dinosaurs in mud which has hardened into limestone. More tracks are likely to be uncovered. Previously, some of the tracks were quarried and are on display at the American Museum in Austin, Tex. All of these tracks might be subject to removal unless a national monument is created to preserve the tracks as they were originally created by the feet of the dinosaurs.

The Interior Department points out in their press release of March 25, 1969:

Registration as a National Landmark does not involve change in land ownership and the National Park Service does not administer the sites or provide financial assistance.

It is for this reason that registration as a national landmark does not provide the necessary protection for this area. Though such recognition is indeed a significant and important step, it is just not enough to insure the preservation of these ancient tracks.

Mr. President, I ask unanimous consent that the text of the Department of the Interior news release of March 25, 1969, entitled "Texas Dinosaur Site To Be Landmark" be printed in the RECORD at the conclusion of my remarks. This release expresses the concern of the Interior Department that the dinosaur site on the Paluxy River be preserved.

Mr. President, I also ask unanimous consent that the text of my bill to establish the Dinosaur Trial National Monument near Glen Rose, Tex., be printed in full at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and news release will be printed in the RECORD.

The bill (S. 1688) to authorize the establishment of the Dinosaur Trial National Monument in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations significant scientific features, the Secretary of the Interior may designate as the Dinosaur Trial National Monument such lands and interests in lands near Glen Rose, Texas, and the Paluxy River as in his discretion are needed for establishment of such monument.

SEC. 2. The Secretary of the Interior may acquire lands or interests therein within the Dinosaur Trial National Monument by donation, purchase with donated or appropriated funds, or exchange. When acquiring property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 3. The Secretary of the Interior shall administer, protect, and develop the Dinosaur Trial National Monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 10 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The news release, presented by Mr. YARBOROUGH, is as follows:

TEXAS DINOSAUR SITE TO BE LANDMARK

Dinosaur tracks made in central Texas approximately 100 million years ago were declared eligible today for inclusion in the National Registry of Natural Landmarks by Secretary of the Interior Walter J. Hickel.

The huge footprints have been preserved in the limestone bed of the Paluxy River, near Glen Rose, southwest of Fort Worth.

The Registry of Natural Landmarks, begun in 1964, is maintained by the National Park Service to identify and recognize significant areas of natural value for future generations.

The Glen Rose site, soon to be developed by the Texas Department of Parks and Wildlife, provides fossil evidence of the development of life on earth dating to the Cretaceous period as measured in geological time.

Then it was that central Texas was lapped by waters of a shallow, warm sea at the close of "the age of reptiles." While dinosaur track impressions and fossils have been found in other parts of Texas, the National Park Service deems the Glen Rose site is nationally significant in that it proves to paleontologists that the huge reptiles walked upright instead of crawling.

Paleontologists call the trace fossils "ichnites," literally footprints in stone. As the mud became limestone, the footprints preserved a drama of that far-away time in the earth's development. In the same rock is another trackway identified as made by a smaller, flesh-eating dinosaur apparently tracking the great but defenseless herbivorous reptile whose deep prints may be seen today.

Registration as a Natural Landmark does not involve change in land ownership and the National Park Service does not administer the sites or provide financial assistance. At the Glen Rose site, the State of Texas is planning a recreation area to include camping, hiking and swimming in the Paluxy River.

S. 1691—INTRODUCTION OF A BILL TO REMOVE THE LIMITATION ON THE NUMBER OF CIVILIAN EMPLOYEES IN THE DIVISION OF INDIAN HEALTH

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill first presented to the Senate in 1968 as an amendment to Public Law 90–364. The amendment was approved by voice vote of the Senate, but was dropped in conference.

I have proposed in this bill the exemption of the Division of Indian Health, within HEW, from the freeze provided for in Public Law 90–364, insofar as personnel requirements and vacancies are concerned.

Health services which are furnished to the Indians are being greatly diminished by reason of the freeze, and in the very near future will be diminished to a critically low point. Without going into great detail, I would like to mention a few examples of the problems which have arisen because of the freeze.

One major problem is the critical shortage of nurses which has been intensified by the freeze. Approximately 100 nursing service personnel have been lost in the last year. A few examples of shortages are:

First. The Oklahoma City area reports reveal that Clinton Hospital is operating with only three of five authorized nurse positions filled and Lawton Hospital, in my hometown, is operating with only 13 of 18 positions filled.

Second. The Aberdeen area reports reveal that the new Hospital at Belcourt, N. Dak., has five of 13 registered nurse positions vacant.

Third. The Anchorage Native Medical Center has 12 of 71 positions vacant while the Tanana Native Hospital has two of six positions vacant;

Fourth. The PHS Indian Hospital at Mescalero, N. Mex., has two of six positions vacant;

Fifth. The Navajo area reports that the Gallup Indian Medical Center has 18 of 46 registered nurse positions vacant and the Crownpoint Indian Hospital has four of seven vacant.

These shortages are but a few examples, with comparable examples in most Indian hospitals in the Nation.

Staff shortages are becoming critical in other categories of health service. The laboratory standard of the Indian hospitals throughout the Nation is below the level required by the Laboratory Improvement Act of 1967. Personnel needed for the control of such communicable diseases as tuberculosis, measles, and trachoma cannot be hired by reason of the freeze.

Great advancement has been made in the past few years in maternal and child health and family planning programs, as well as mental health programs and programs designed to eliminate nutritional deficiencies; however, due to the freeze on personnel, these essential programs are being severely restricted.

I ask unanimous consent to have printed in the RECORD a statement outlining the current effects on the Indian Health Service of employment limitations resulting from implementation of Public Law 90–364.

It appears that if the freeze on personnel is not removed, the advancements we have made in the past few years in Indian health services will be lost and medical care for the Indian in this Nation will reach a deplorable state. I therefore urge that favorable consideration be given this bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 1691) to remove the limitation on the number of civilian employees in the Division of Indian Health, within the Department of Health, Education, and Welfare, introduced by Mr. HARRIS (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on Finance.

The statement, presented by Mr. HARRIS, is as follows:

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 4, 1969
For actions of June 3, 1969
91st 1st No. 91

CONTENTS

Animal quarantine.....22
Antitrust.....5
Buildings.....7
Consumer affairs.....9
Credit unions.....4
Disaster relief.....7
Education.....15
Environmental quality...17
Farm payments.....11
Farm program.....11
Federal aid.....15
Footwear.....19
Foreign trade.....19
Grapes.....8
Inflation.....10
Information.....20
Manpower.....13
Oceanography.....12
Packaging.....9
Personnel.....18
Pesticides.....14
Poverty.....2,16
Radiation.....2
Recreation.....21
Research.....12,14
Retirement.....18
Safety.....1
Solid waste.....23
Water.....3

HIGHLIGHTS: Senate committee voted to report disaster relief bill. Rep. Ashley introduced and discussed bills to investigate pesticide use and prohibit DDT sales.

HOUSE

1. SAFETY. Began debate on H. R. 10946, to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects. pp. H4406-16

2. RADIATION. Received from the President the annual report of the Radiation Control for Health and Safety Act of 1968 (H. Doc. 91-126). p. H4403

3. WATER. Rep. Sisk inserted a speech, "California Water Problems--Perspectives and Prospects." pp. H4420-22

4. CREDIT UNIONS. Rep. Ratman announced hearings June 17 by the Banking and Currency Committee on bills to create a National Credit Union Administration for the supervision and regulation of Federal credit unions. p. H4430

5. ANTITRUST. Rep. Burton, Utah, inserted several press comments on economic reports dealing with matters of antituust, free competition, and mergers of corporations. pp. H4432-5

6. POVERTY. Received from the Office of Economic Opportunity a proposed bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964; to the Education and Labor Committee. p. H4435

SENATE

7. DISASTER RELIEF. The Public Works Committee voted to report (but did not actually report) with amendments S. 1685, to provide additional Federal assistance for areas suffering a major disaster. p. D459

The Daily Digest states that the "Committee also approved 18 public building prospectuses, seven new construction projects at an approximate cost of $6.5 million, and 11 for alteration of existing buildings at an approximate cost of $22.9 million."

EXTENSION OF REMARKS

8. GRAPES. Rep. Mathias inserted an article, "Kennedy, Tunney Join Grape Boycott," which discusses the grape boycott situation. pp. E4551-2

9. CONSUMER AFFAIRS. Rep. Daniels, N. J., inserted an article dealing with "deceptive methods of packaging." pp. E4555-6

Rep. Rosenthal commended Nassau County's (N.Y.) "outstanding program of consumer protection" and inserted his speech before the county's consumer conference. pp. E4583-4

thaniel Reed, special assistant to the Governor of Florida; Robert Padrick, chairman, Central and Southern Flood Control District; and William W. Gibbs, Dade County Port Authority.

Committee announced that hearings are tentatively scheduled to continue on Friday, July 11.

NOMINATION—SUPREME COURT

Committee on the Judiciary: Committee, in executive session, unanimously approved for reporting the nomination of Warren E. Burger, to be Chief Justice of the United States, prior to which action, in open session, the nominee was introduced to the committee by Senators Byrd of Virginia and Spong. Judge Burger was present to testify and answer questions in his own behalf.

CRIME CONTROL

Committee on the Judiciary: Subcommittee on Criminal Laws and Procedures resumed hearings on several pending bills designed to reduce organized crime in the United States, having as its witnesses Will R. Wilson, Assistant Attorney General, Criminal Division, Department of Justice; and Donald F. Taylor, Chamber of Commerce of the United States.

Hearings continue tomorrow.

DISASTER RELIEF, AND PUBLIC BUILDINGS

Committee on Public Works: Committee, in executive session, ordered favorably reported with amendments S. 1685, to provide additional Federal assistance for areas suffering a major disaster. As approved by the committee, the bill would make grants of up to $250,000 for disaster planning programs to each State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

Committee also approved 18 public building prospectuses, seven new construction projects at an approximate cost of $6.5 million, and 11 for alteration of existing buildings at an approximate cost of $22.9 million.

Also, committee announced that its Subcommittee on Economic Development has postponed its executive meeting, scheduled for Thursday, June 5, to consider pending regional development authorizations requests.

House of Representatives

Chamber Action

Bills Introduced: 30 public bills, H.R. 11808–11837; five private bills, H.R. 11838–11842; and 10 resolutions, H.J. Res. 756–763, H. Con. Res. 281, and H. Res. 431, were introduced. Pages H 4401, H 4436–H 4437

Committee Election: Agreed to H. Res. 431, electing Representative Goldwater to the Committee on Science and Astronautics. Page H 4401

Subcommittee To Sit: Subcommittee on Home Financing of the Committee on Banking and Currency received permission to sit during general debate of the House today. Page H 4403

Presidential Message—Radiation Control: Received and read a message from the President wherein he transmits to Congress the first annual report on the administration of the Radiation Control for Health and Safety Act of 1968—referred to the Committee on Interstate and Foreign Commerce and ordered printed. Page H 4403

Private Calendar: Passed the following bills on the call of the Private Calendar:

Cleared for the President: S. 537.

Sent to the Senate without amendment: H.R. 3006, 2899, 3166, 3167, 3376, and 1828.

Sent to the Senate with amendment: H.R. 4744, 6377, 6850, 2208, 2224, 2536, 3172, 9979, and 3044.

Passed over without prejudice: H.R. 3377, 5000, 2552, H. Res. 86, H.R. 1808, 1865, 1999, 5419, 6375, 1462, 1707, 3165, 3560, 5107, 6389, S. 648, and H.R. 3373.

Recommitted to the Committee on the Judiciary: H.R. 3188. Pages H 4403–H 4406

Construction Safety: After completing all general debate on H.R. 10946, to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects, the first paragraph of the bill was read and open for amendment, when the Committee of the Whole rose. Proceedings under the 5-minute rule will continue tomorrow.

H. Res. 427, the rule under which the bill was considered, was adopted earlier by a voice vote.

Pages H 4406–H 4416

Referrals: Nine Senate-passed bills were referred to the appropriate committees. Page H 4435

Quorum Calls—Record Votes: No quorum calls or record votes developed during the proceedings of the House today.

Program for Wednesday: Met at noon and adjourned at 1:50 p.m. until noon on Wednesday, June 4, when the House will continue reading for amendment H.R. 10946, to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects, and H.R. 11102, Medical Facilities Construction and Modernization Amendments of 1969 (open rule, 2 hours of debate).

Committee Meetings

SUPPLEMENTAL SERVICE BENEFITS

Committee on Armed Services: Subcommittee on Supplemental Service Benefits met in executive session to consider the subcommittee's program for the year. No announcements were made.

Meeting was adjourned subject to call of the Chair.

DX PROGRAM

Committee on Armed Services: Subcommittee on Sea Power resumed executive hearings on the DX program. Testimony was heard from Adm. Thomas H. Moorer, Chief of Naval Operations.

HOME FINANCING

Committee on Banking and Currency: Ad Hoc Subcommittee on Home Financing Practices and Procedures continued hearings on speculative practices in home financing in center-city areas. Testimony was heard from Florence Roisman and Mary Beth Halloran, Neighborhood Legal Services; and panel of witnesses from community groups.

Hearings to continue on June 5.

POPULATION TRENDS IN THE UNITED STATES

Committee on Banking and Currency: Ad Hoc Subcommittee on Urban Growth began hearings on population trends in the United States. Testimony was heard from Dr. Conrad Taeuber, U.S. Bureau of the Census.

Hearings continue on June 5.

D.C. OPTOMETRY ACT

Committee on the District of Columbia: Subcommittee No. 4 met in executive session to begin markup of H.R. 2388, District of Columbia Optometry Act.

Subcommittee to meet again tomorrow.

MINERS' COMPENSATION

Committee on Education and Labor: Select Subcommittee on Labor began hearings on H.R. 11476, and related bills, to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in the mining industry. Testimony was heard from Secretary of Labor Shultz; Arthur Fletcher, Assistant Secretary for Wage and Labor Standards; and a representative from the United Mine Workers of America.

Hearings continue tomorrow.

PROBLEMS OF HIGHER EDUCATION

Committee on Education and Labor: Special Subcommittee on Education met in open session to discuss amendments to section 504 of Public Law 90–575, Higher Education Amendments of 1968, and related matters.

Subcommittee to continue on June 5.

PACKAGING AND LABELING PROBLEMS

Committee on Government Operations: Subcommittee on Special Studies began hearings on Federal packaging and labeling. Testimony was heard from representatives of Consumer Federation of America; A. Q. Mowbray, author; and Malcolm W. Jensen, Acting Deputy Director, National Bureau of Standards.

Hearings continue tomorrow.

REVOLUTIONARY VIOLENCE

Committee on Internal Security: Began hearings on activities of the Students for a Democratic Society. Testimony was heard from Father Thomas Fitzgerald, Georgetown University; Anthony Ripley, New York Times Detroit Bureau, and Policeman Brad M. Mallard.

Hearings continue tomorrow.

PRIVATE BILLS

Committee on the Judiciary: Met in executive session and acted on private immigration and claims bills.

NATIONAL OCEANOGRAPHIC PROGRAM

Committee on Merchant Marine and Fisheries: Subcommittee on Oceanography continued hearings on the national oceanographic program. Testimony was heard from Dr. Bruce Halstead, director, World Life Research Institute, Colton, Calif.; and Dr. William J. Hargis, Jr., director, Virginia Institute of Marine Science.

Hearings were adjourned subject to call of the Chair.

POSTAL REFORM

Committee on Post Office and Civil Service: Continued hearings on postal reform. Testimony was heard from Postmaster General Winton M. Blount and members of his staff.

Hearings continue tomorrow.

JOHN F. KENNEDY CENTER ACT—FEDERALLY OWNED PROPERTY IN D.C.

Committee on Public Works: Met in executive session and ordered reported to the House H.R. 11249, to amend the John F. Kennedy Center Act to authorize additional funds for such center; and H.R. 9431, limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes.

Prior to the full committee meeting, the Subcommittee on Public Buildings and Grounds met in executive session and approved these bills for full committee action.

PROBLEMS OF TOOL AND DIE INDUSTRY

Committee on Small Business: Subcommittee on Special Small Business Problems resumed hearings on problems of small businesses in the tool and die industry. Testimony was heard from representatives of the automobile industry.

Hearings continue tomorrow.

HOUSE

4. DISASTER RELIEF. The "Daily Digest" states that the Public Works Committee voted to report (but did not actually report) H. R. 6508, the California disaster relief bill. p. D490

5. BUILDINGS AND GROUNDS. Passed, 327-51, with amendments, H. R. 1035, to limit the use of publicly owned or controlled property in D. C., requiring the posting of a bond for the use of such property. pp. H4698-714

6. RESEARCH. The Science and Astronautics Committee reported without amendment H. J. Res. 589, favoring the international biological program (H. Rept. 91-302). p. H4752

7. RECREATION. The Interior and Insular Affairs Committee reported with amendment H. R. 11069, to authorize appropriations for Padre Island National Seashore, Tex. (H. Rept. 91-305). p. H4752

8. TOBACCO. The Rules Committee reported a resolution for consideration of H. R. 6543, to extend public health protection with respect to cigarette smoking. p. H4752

9. INDIAN AFFAIRS. The "Daily Digest" states that the Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 471, to reserve the Blue Lake area, New Mexico, for the Pueblo de Taos Indians. p. D490

10. ECONOMIC OPPORTUNITY. Received from the President the annual report of the National Advisory Council on Economic Opportunity (H. Doc. 91-126). p. H4714

11. TAXATION. Rep. Vanik criticized "scare tactics" to force Congress to go along with extending the surtax. p. H4697

12. INTEREST RATES. Several Representatives criticized the hike in prime interest rates. pp. H4714-5, H4717-8, H4720

13. EDUCATION. Several Representatives debated amending the Higher Education Act of 1965. pp. H4728-32

14. SHOE IMPORTS. Rep. Cleveland inserted a letter from a constituent discussing the "drastic effect of the unrestricted importation of foreign shoes on New Hampshire's shoe industry." p. H4736

15. EXPENDITURES; DOMESTIC NEEDS. Rep. Fulton, Tenn., expressed the hope that the savings resulting from DOD's decision to cancel the manned orbiting laboratory program will be diverted into housing and feeding America's hungry and suggested "lower cost or free food stamps." p. H4720

16. MEAT INSPECTION; FORESTRY; MINK IMPORTS. Received from the Oregon Legislature resolutions memorializing Congress to amend the existing Wholesome Poultry and Wholesome Meat Acts to permit the interstate shipment of Oregon-inspected meats and poultry which meet Federal inspection standards; to make available to the U.S. Forest Service a fixed percentage of the revenue from national forest lands for investment in intensive forest management practices and roads in order to increase the productivity of the national forests; to direct the Secretary of Agriculture and the Secretary of the Interior to direct the U.S. Forest Service and the Bureau of Land Management to establish an annual harvest volume of alder and other hardwood timber on the lands under their jurisdiction, to evaluate and establish a workable hardwood management program, and to add a member of the Northwest hardwood industry to the Pacific Northwest Advisory Committ to the regional forrester; memorializing the Secretary of Agriculture to cause to be adopted for forests administered by the U. S. Forest Service management and production policies which will provide the needed lumber for housing, employment opportunities, and recreational purposes for the present and for renewal of the forests for the future; petitioning Congress to support legislation now pending which would establish a quota-tariff on undressed mink imports. p. H4754

17. NON-FARM INCOME. Received from the Minnesota Legislature a memorial relative to limiting the right of nonfarm corporations and individuals to write off farm losses against nonfarm profits, for Federal income tax purposes. p. H4754

EXTENSION OF REMARKS

18. RURAL AMERICA. Rep. Sebelius inserted an article, "When Does the Exodus End?", and stated that it demonstrates that the concerned citizens of rural and small town America are not only aware of their current problems, but are actively starting to find workable answers. p. E4806

19. INTEREST RATES. Rep. Patman inserted his press release announcing that the Banking and Currency Committee will open investigation into the prime rate increase. pp. E4807-8

20. SAFETY. Rep. Eilberg inserted an article and his testimony in behalf of proposed legislation to preclude dangerously designed toys and other articles intended for use by children. pp. E4812-4

21. ENVIRONMENT. Rep. Hosmer and Cohelan commended the President's decision to establish a Cabinet-level Environmental Quality Council and inserted articles and statements on this subject. pp. E4816-7, E4822-4

Rep. Reuss inserted an article which points out that "a massive sewerage treatment program by the Corps of Engineers would be helpful in closing the gap between what is needed and what is actually being done to control pollution." pp. E4827-8

Rep. Griffin inserted an address placing emphasis on the role of industrial development groups in abating pollution. pp. E4847-9

22. AGING; CONSUMERS. Rep. Wyman inserted HEW Deputy Asst. Secretary Barry's speech, "Consumer Services for Older Americans". pp. E4818-20

having as its witness Robert H. Finch, Secretary of Health, Education, and Welfare.

Hearings continue on Thursday, June 19.

SBA PROGRAMS

Select Committee on Small Business: Committee continued its hearings on financial assistance programs and policies of the Small Business Administration, and what effect tighter governmental and private loan policies and inflation are having on the small businessman. Testimony was heard from Thomas F. Roeser, Director, and Abraham S. Venable, Deputy Director, both of the Office of Minority Enterprise, Department of Commerce; and Hilary Sandoval, Jr., Administrator, SBA.

Hearings continue tomorrow, with testimony from representatives of small business organizations.

House of Representatives

Chamber Action

Bills Introduced: 49 public bills, H.R. 12039–12087; six private bills, H.R. 12088–12093; and six resolutions, H.J. Res. 773–775, H. Con. Res. 288, and H. Res. 437 and 438, were introduced. Pages H 4752–H 4754

Bills Reported: Reports were filed as follows:

H.J. Res. 589, expressing the support of Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private, for the international biological program (H. Rept. 91–302);

H.R. 265, to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies, amended (H. Rept. 91–303);

S. 1647, to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile, amended (H. Rept. 91–304);

H.R. 11069, to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, amended (H. Rept. 91–305);

H.R. 2785, to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg spur of the Foothills Parkway (H. Rept. 91–306);

H. Res. 437, providing for the consideration of H.R. 6543, to extend public health protection with respect to cigarette smoking (H. Rept. 91–307); and

H. Res. 438, providing for the consideration of H.R. 7906, to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce (H. Rept. 91–308). Page H 4752

Late Reports: Committee on Merchant Marine and Fisheries received permission to file a report on H.R. 265, to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies, by midnight tonight, and the Committee on Rules received permission to file sundry reports by midnight tonight. Page H 4698

D.C. Public Property Use Limitations: By a record vote of 327 yeas to 51 nays, the House passed H.R. 1035, limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond.

Rejected a motion to recommit the bill to the Committee on Public Works by a voice vote.

Rejected an amendment to a committee amendment that would give the President discretion to waive the restrictions of the bill.

Agreed to the committee amendments.

Agreed to the amendment of the title.

H. Res. 436, the rule under which the bill was considered, was adopted earlier by a voice vote. Pages H 4698–H 4714

Presidential Message—National Advisory Council on Economic Opportunity: Received and read a message from the President wherein he transmits to Congress the Second Annual Report of the National Advisory Council on Economic Opportunity—referred to the Committee on Education and Labor and ordered printed with illustrations. Page H 4714

Quorum Calls—Record Votes: One quorum call and one record vote developed during the proceedings of the House today and appear on pages H4698 and H4713.

Program for Thursday: Met at noon and adjourned at 5:16 p.m. until noon on Thursday, June 12, when appropriate ceremonies in honor of Flag Day will be conducted in the Hall of the House.

Committee Meetings

HONEY PROMOTION AND RESEARCH

Committee on Agriculture: Subcommittee on Domestic Marketing and Consumer Relations concluded hearings on H.R. 9655, and related bills, Honey Promotion and Research Act of 1969. Testimony was heard from Representatives Hansen of Idaho, Langen, and Quie and public witnesses.

LEAD RELEASE—C–5A CONTRACT

Committee on Armed Services: Held a hearing and ordered reported favorably to the House S. 1647, to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

The committee also heard testimony relating to the Air Force contract for C–5A aircraft from the Honorable Elmer B. Staats, Comptroller General of the United States, and other GAO witnesses.

BRIEFING ON MIDWAY MEETING

Committee on Armed Services: Met in afternoon executive session for briefing by Secretary of Defense Melvin R. Laird on his recent visit with the President to Midway.

NATIONAL HOUSING GOALS

Committee on Banking and Currency: Subcommittee on Housing continued hearings on national housing goals. Testimony was heard from public witnesses.

Hearings continue tomorrow.

FOREIGN AID

Committee on Foreign Affairs: Continued hearings on proposed foreign aid legislation. Further testimony was heard from Hon. John A. Hannah, accompanied by Hon. Herbert Salzman, Assistant Administrator for Private Resources, AID; and Hon. Paul Clark, Assistant Administrator for Program and Policy Coordination, AID.

Hearings continue tomorrow.

INTERGOVERNMENTAL COOPERATION ACT, GRANT CONSOLIDATION ACT

Committee on Government Operations: Subcommittee on Intergovernmental Relations continued hearings on H.R. 7366, Intergovernmental Cooperation Act of 1969; and H.R. 10954, Grant Consolidation Act of 1969. Testimony was heard from Hon. Robert P. Mayo, Director, Bureau of the Budget; and Hon. Farris Bryant, Chairman, Advisory Commission on Intergovernmental Relations.

Hearings continue tomorrow.

INDIAN AFFAIRS

Committee on Interior and Insular Affairs: Ordered reported favorably to the House H.R. 471, amended, to amend section 4 of the act of May 31, 1933 (reserve Blue Lake area, New Mexico, for Indians of Taos Pueblo).

TRUST TERRITORIES

Committee on Interior and Insular Affairs: Subcommittee on Territories and Insular Affairs met in executive session on administration of the Trust Territories of the Pacific Islands.

ASSISTANCE TO MEDICAL LIBRARIES

Committee on Interstate and Foreign Commerce: Met in executive session and ordered reported favorably to the House H.R. 11702, amended, to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities.

PRIVATE CLAIMS BILLS

Committee on the Judiciary: Subcommittee No. 2 met in executive session and acted on several private claims bills.

MOBILE TRADE FAIRS

Committee on Merchant Marine and Fisheries: Held a hearing on H.R. 6972, to amend section 212(b) of the Merchant Marine Act, 1936, as amended (to extend for an additional 1 year, mobile trade fairs). Following the open hearing, the committee met in executive session but deferred action on the bill.

POST OFFICE COST ASCERTAINMENT SYSTEM

Committee on Post Office and Civil Service: Subcommittee on Postal Rates continued hearings on the evaluation and analysis of the Post Office Department cost ascertainment system. Testimony was heard from Mr. David W. Brumbaugh, executive vice president, Time, Inc.; Dr. Paul Noble, president, Printing Industries of Metropolitan New York; and Mr. Chester L. Guthrie, president, GRC Management Systems Corp., Arlington, Va.

U.S. AND D.C. EMPLOYEES COURT LEAVE

Committee on Post Office and Civil Service: Subcommittee on Manpower and Civil Service concluded hearings on H.R. 10247, to amend title 5, United States Code, to grant court leave to employees of the United States and the District of Columbia when called as witnesses in certain judicial proceedings on behalf of State and local governments. Testimony was heard from Mr. Anthony L. Mondello, General Counsel, U.S. Civil Service Commission, and representatives of employee union organizations.

POSTMASTER APPOINTMENTS

Committee on Post Office and Civil Service: Subcommittee on Postal Operations concluded hearings on legislation pertaining to postmaster appointments. Testimony was heard from Postmaster General Winton M. Blount and members of his staff and representatives of employee organizations.

CALIFORNIA DISASTER ACT

Committee on Public Works: Met in executive session and ordered reported favorably to the House H.R. 6508, amended, California Disaster Act of 1969.

INTERSTATE TAXATION ACT

Committee on Rules: Granted an open rule with 2 hours of debate and making H.R. 906, to regulate and prevent burdens upon commerce among the States by providing a system for the taxation of money earned outside of a State, as an amendment to H.R. 7906, Interstate Taxation Act. Testimony was heard from Chairman Rodino and Representatives MacGregor and Smith of Iowa.

6. DISASTER RELIEF; ~~AIR POLLUTION; ELECTRIFICATION~~. The "Daily Digest" states that the Public Works [illegible] Committee voted to report (but did not actually report) S. 1685, the disaster relief bill, S. 2276, to extend for 4 year the authorization for research under the provisions of the Clean Air Act, and an original bill dealing with development of hydroelectric power at Tocks Island Dam and Reservoir, Delaware River Basin. p. D526

7. INTEREST RATES. Received a S. C. Legislature resolution memorializing Congress to investigate the recent increase in the prime interest rate and to enact suitable legislation to control such interest rate. pp. S6738

8. PESTICIDES. Sen. Nelson inserted a newspaper report "that Denmark will become the second country to ban the use of DDT in agriculture, forestry, and horticulture next fall." pp. S6765-6

9. WATER; FORESTRY. Received from the Oregon Legislature a resolution asking Congress to enact legislation to clearly state that the Federal Government shall not be deemed to have acquired or reserved any water right as a result of the reservation or withdrawal of any public lands, require compliance with state water laws by all federal agencies, licensees or project beneficiaries and adequately safeguard all water rights established under state laws against the action of federal agencies and their licensees. p. S6766

10. WILDLIFE. Sen. Yarborough expressed concern over the possibility of the extinction of certain species of wildlife and inserted articles on the subject. pp. S6768

HOUSE

11. APPROPRIATIONS. The Appropriations Committee reported without amendment H. R. 12307, the independent office and HUD appropriation bill (H. Rept. 91-316). The Rules Committee reported a resolution for consideration of this bill. p. H5067

The Rules Committee reported a resolution for consideration of H. R. 12167, to authorize appropriations to the Atomic Energy Commission. p. H5067

The Rules Committee reported a resolution for consideration of H. R. 4284, to authorize appropriations to carry out the Standard Reference Data Act. p. H5067

12. RECLAMATION. Passed as reported S. 742, to authorize the Kennewick division extension on the Yakima project, Wash. pp. H5025-9

13. CREDIT UNIONS. The Banking and Currency Committee voted to report (but did not actually report) H. R. 2, to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions. p. D527

14. TRANSPORTATION. A subcommittee of the Interstate and Foreign Commerce Committee approved for full committee action H. R. 8298, amended, to amend section 303 (b) of the Interstate Commerce Act regarding the water carrier mixing rule. p. D528

15. PRODUCT SAFETY. A subcommittee of the Interstate and Foreign Commerce Committee approved for full committee consideration H. R. 10987, to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned tasks. p. D528

16. CONTRACTS. Rep. Podell urged those who have not done so to join as cosponsors of his bill which requires the GAO to report to Congress on all contracts which run more than 10 percent above the original contract price. pp. H5023-4

17. TAXATION. The Ways and Means Committee was granted until midnight Fri., June 20, to file a report on the bill relating to the surcharge and the repeal of the investment credit. p. H5024

Rep. Podell questioned the effectiveness of the surtax and called for a responsible tax reform. pp. H5054-5

18. INTEREST RATES. Rep. Annunzio expressed hope that witnesses who testify before the Banking and Currency Committee will assure the committee that they will take all necessary actions to prevent further increases in lending rates. pp. H5031-2

19. EDUCATION. Rep. Green, Oreg., inserted the text of a bill to encourage institutions of higher education to adopt governing rules and regulations. pp. H5032-8

20. FOOD. Rep. Farbstein criticized this Department's alleged "failure" to adequately administer free food programs and inserted his letter to Secretary Hardin. pp. H5048-53

21. SCIENCE. Rep. Koch inserted a report of the committee on Federal legislation of the New York County Lawyers Association on the matter of long-range Federal support for basic science. p. H5056

22. TEXTILE IMPORTS. Rep. Dorn inserted several editorials commending Secretary Stans' mission to bring the trading nations of the world to an international conference to discuss limitations on textile imports. pp. H5057-8

23. POVERTY. Both Houses received from GAO a report on the effectiveness and administration of the Keystone Job Corps Center for Women, Drums, Pa., operated by the RCA Service Co., a division of the Radio Corp. of America, under a contract with the Office of Economic Opportunity Act of 1964. pp. S6738, S5067

24. LEGISLATIVE PROGRAM. Rep. Boggs announced the program for next week as follows: on Mon., the Atomic Energy Commission appropriations authorization bill; on Tues., the continuing appropriations resolution for fiscal 1970 and the Independent Offices-HUD Appropriations bill; on Wed. and the balance of the week, the surcharge extension and investment credit repeal bill. pp. H5029-30

25. ADJOURNED until Mon., June 23. p. H5067

the Javits motion to table the Byrd amendment but reversed itself after later adopting, by 52 yeas to 40 nays, Allen motion to reconsider its vote by which it had adopted Javits motion to table the Byrd amendment.

Senate insisted on its amendments to the bill, asked for conference with House, and appointed as conferees Senators Byrd (West Virginia), Russell, Pastore, Holland, Ellender, Mundt, Young (North Dakota), and Smith.

Pages S 6789–S 6794, S 6800–S 6813

Foreign Commitments: Senate began consideration of S. Res. 85, stating sense of Senate that a national commitment to a foreign power results from affirmative action by the executive and legislative branches through means of a treaty, convention, or other legislative instrumentality. Pages S 6813–S 6814, S 6828–S 6840

Treaty Ratified: By unanimous vote of 89 yeas, Senate adopted resolution of ratification on Broadcast Agreements Between United States and Mexico, signed in Mexico City on December 11, 1968 (Ex. B, 91st Cong., first sess.). Pages S 6794–S 6800, S 6813

Confirmations: Senate confirmed the following nominations: Eight civilian, including those of Carlos Garcia Camacho, of Guam, to be Governor of Guam; Melvin H. Evans, of the Virgin Islands, to be Governor of the Virgin Islands; John R. Petty, of New York, to be an Assistant Secretary of the Treasury; Donald E. Johnson, of Iowa, to be Administrator of Veterans' Affairs; and William Henry Harrison, of Wyoming, and William S. Whitehead, of Virginia, both to be members of the Renegotiation Board; and 20 judicial. Page S 6842

Nominations: Senate received nominations of Lewis M. Branscomb, of Colorado, to be Director of the National Bureau of Standards; and eight judicial nominations. Pages S 6841–S 6842

Record Vote: Six record votes were taken today.

Pages S 6805, S 6809, S 6810, S 6811, S 6812, S 6813

Program for Friday: Senate met at 11 a.m. and adjourned at 5:23 p.m. until 11 a.m. Friday, June 20, when it will continue on S. Res. 85, expressing sense of Senate on commitments to foreign powers. Page S 6841

Committee Meetings

(*Committees not listed did not meet*)

FOOD STAMP PROGRAM, AND GREAT PLAINS CONSERVATION

Committee on Agriculture and Forestry: Committee, in executive session, tentatively agreed to extend authorizations for the food stamp program through fiscal year 1972. Committee also tentatively agreed to report an original joint resolution increasing from $340 million to $750 million funds for this program for fiscal year 1970. Committee will meet again tomorrow to consider further this proposed legislation.

Also, committee approved for reporting, with amendments, S. 1790, to extend the period for entering contracts under the Great Plains program for 10 years beginning in 1972.

APPROPRIATIONS—INDEPENDENT OFFICES

Committee on Appropriations: Subcommittee continued hearings on fiscal 1970 budget estimates for independent offices and the Department of Housing and Urban Development, with testimony in behalf of funds for their respective agencies from Robert E. Hampton, Chairman, Civil Service Commission; and Rosel H. Hyde, Chairman, Federal Communications Commission.

Hearings continue tomorrow on funds for the FPC and Selective Service System.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee continued executive hearings on fiscal 1970 budget estimates for the Defense Establishment, having as its witness Maj. Gen. Henry A. Miley, Jr., Deputy Chief of Staff (Logistics), Army, whose testimony related to proposed funds for procurement of equipment and missiles.

Hearings continue tomorrow on funds for Army research and development.

APPROPRIATIONS—DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee continued hearings on fiscal 1970 budget estimates for the District of Columbia, receiving testimony on behalf of funds for the Department of Public Health from its Director, Dr. Murray Grant.

Hearings continue tomorrow on funds for the Department of Public Welfare.

NOMINATIONS

Committee on Armed Services: Committee, in executive session, ordered favorably reported the nominations of J. Ronald Fox, of Massachusetts, to be Assistant Secretary of the Army (Installations and Logistics); Spencer J. Schedler, of New York, to be Assistant Secretary of the Air Force (Financial Management); Haakon Lindjord, of Washington, to be Assistant Director, Office of Emergency Preparedness; and 5,958 nominations in the Army, Navy, Air Force, and Marine Corps.

The committee also approved an original resolution (S. Res. 213) requesting an additional $20,000 for committee expenses.

Prior to this action, in open session, Messrs. Fox, Schedler, and Lindjord, who was introduced by Senator Jackson, were present to testify and answer questions on their own behalf.

AIRPORT AND AIRWAYS DEVELOPMENT

Committee on Commerce: Aviation Subcommittee continued hearings on pending legislation dealing with the

development of airports and airways throughout the United States, having as its witnesses John H. Crooker, Jr., Chairman Civil Aeronautics Board; Stuart G. Tipton, president, Air Transport Association of America; William T. Piper, Jr., chairman, Aviation Progress Committee, Washington, D.C.; and Karl G. Harr, Jr., president, Aerospace Industries Association, who submitted a statement.

Hearings continue on Tuesday, June 24.

EPISCOPAL CHURCH IN THE D.C.

Committee on the District of Columbia: Committee held hearings on S. 2336, relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia, having as its witnesses Oliver Gasch, chancellor, and James F. Bell, assistant chancellor, both of the diocese of the Washington Episcopal Church; and John Adams, American Civil Liberties Union.

Hearings were adjourned subject to call.

UNEMPLOYMENT TAXES

Committee on Finance: Committee met in executive session to consider H.R. 9951, providing for collection of the Federal unemployment tax in quarterly installments during each taxable year, and agreed to meet again on Tuesday, June 24, to vote on the bill and proposed amendments thereto.

Also, committee announced that it will hold hearings on Wednesday, June 25, on the nomination of Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations.

FOREIGN POLICY

Committee on Foreign Relations: Committee resumed hearings on psychological aspects of foreign policy, having as its witness Dr. Karl Menninger, of the Menninger Foundation, Topeka, Kans.

Hearings continue tomorrow.

COAL MINE SAFETY

Committee on Labor and Public Welfare: Subcommittee on Labor resumed executive consideration of pending coal mine safety legislation, but did not conclude action thereon, and will meet again on Wednesday, June 25.

ELEMENTARY AND SECONDARY EDUCATION

Committee on Labor and Public Welfare: Subcommittee on Education continued hearings on proposed Elementary and Secondary Education Amendments of 1969, having as its witnesses Senator Spong; George D. Fischer, president, and Stanley J. McFarland, assistant secretary, both of the National Education Association; and Boardman Moore, president, and Thomas A. Dalton, both of the National School Boards Association.

Hearings continue tomorrow.

HOSPITAL CONSTRUCTION

Committee on Labor and Public Welfare: Subcommittee on Health continued hearings on S. 2182, authorizing funds for construction and modernization of hospital and other medical facilities, with testimony from Senator Percy; Andrew J. Biemiller, Department of Legislation, AFL–CIO; Dr. Martin R. Steinberg, American Hospital Association; James Brindle, Group Health Association of America, Inc.; Fred J. Hughes, Association of American Medical Colleges, who was accompanied by his associates; and John K. Pickens, American Nursing Home Association.

Hearings were adjourned subject to call of the Chair.

OLDER AMERICANS

Committee on Labor and Public Welfare: Special Subcommittee on Aging held hearings on S. 268, S. 2120, and H.R. 11235, proposed Older Americans Act Amendments of 1969, having as its witnesses John B. Martin, Commissioner, Administration on Aging; William C. Fitch, National Council on the Aging, Inc.; Peter W. Hughes, American Association of Retired Persons-National Retired Teachers Association; William R. Hutton, National Council of Senior Citizens, Inc.; Robert B. Robinson, National Association of State Units on Aging; and Janet Sainer, Community Service Society of New York.

Hearings were recessed subject to call.

COMMITTEE BUSINESS

Committee on Public Works: Committee, in executive session, ordered favorably reported the following items of business:

S. 1685, proposed Disaster Relief Act of 1969 (amended);

S. 2276, to extend for 1 year the authorization for research under the provisions of the Clean Air Act;

An original bill dealing with development of hydroelectric power at Tocks Island Dam and Reservoir, Delaware River Basin;

The nominations of Maj. Gen. Andrew P. Rollings, Jr., to be a member of the Mississippi River Commission, and Col. Charles R. Roberts, to be a member of the California Debris Commission; and

Two public building prospectuses, (1) proposal of the Internal Revenue Service for lease of building in Philadelphia, and (2) proposed alteration of post office and courthouse in Butte, Mont.

DRUG PRICES

Select Committee on Small Business: Subcommittee on Monopoly resumed hearings on competitive problems in the drug industry, having as its witnesses Edward D. Martin, Student American Medical Association; Richard Pohl, Harvard University Medical School; Charles Payton, University of California Medical School, San Francisco; and Henry Brodkin, Case-Western Reserve University Medical School, Cleveland.

Hearings were recessed subject to call of the Chair.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 24, 1969
For actions of June 23, 1969
91st 1st No. 103

CONTENTS

Agricultural appropriations.....1
Appropriations.....1
Budget.....32
Consumers.....20
Dairy.....26
Disaster relief.....9
Employment.....29
Farm income.....15
Farm loans.....26
Farm program.....14
Fees and charges.....25
Fiscal year.....17
Food additives.....27
Food processing.....18
Food stamps.....4,14
Foreign aid.....21
Foreign trade.....12
Future farmers.....19
Grapes.....16
Groundfish.....12
Hot dogs.....5
Inflation.....15
Labeling.....20, 30
Lands.....28
Legislative program.....7
Loans.....31
Manpower.....23
Medicare.....13
National debt.....32
Poverty.....11
REA.....31
Reclamation.....24
Recreation.....25
Social security.....6
Taxation.....2,8,22
Wetlands.....3
Youth Corps.....10

HIGHLIGHTS: Senate subcommittee approved agricultural appropriation bill. House committee reported Calif. disaster relief bill. House committee reported bill to continue income tax surcharge. Rep. Langen inserted Secretary Hardin's statement on inflation and farm profits.

SENATE

1. APPROPRIATION. The Daily Digest states a subcommittee of the Appropriations Committee "marked up and approved for full committee consideration" H.R. 11612, the agricultural appropriation bill for 1970. "It was announced that the full committee will meet in executive session on Wednesday, June 25, to consider this bill." p. D537

2. TAXATION. Sen. Metcalf opposed "any extension of the surtax without tax reform." p. S6926

3. WETLANDS. Sen. Tydings stated, "we must exert more diligence in planning and protecting our wetlands." p. S6935

4. FOOD STAMPS. Sen. Mathias commended and inserted an article commending the Department's fast action on an application for a food-stamp program. p. S6939

5. HOT DOGS. Sen. Mathias inserted Rep. Morton's statement urging "no limitations be set by the Department on the amount of chicken which may be included" in hot dogs. p. S6944

6. SOCIAL SECURITY. Sen. Byrd, W. Va., called for a 7-percent rise in social security benefits. pp. S6953-4

7. LEGISLATIVE PROGRAM. Sen. Mansfield announced that it is the intention of the leadership to take up the food stamp bill today. p. S6959

HOUSE

8. TAXATION. The Ways and Means Committee reported without amendment H. R. 12290, to continue the income tax surcharge and the excise taxes on automobiles and communication services for temporary periods, to terminate the investment credit, and to provide a low-income allowance for individuals (H. Rept. 91-321). p. H5076

9. DISASTER RELIEF. The Public Works Committee reported with amendment H. R. 6508, to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters (H. Rept. 91-322). p. H5076

10. YOUTH CORPS. Received from GAO a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program in Grand Rapids, Mich., under title I-B of the Economic Opportunity Act of 1964. p. H5076

11. POVERTY. Received from GAO a report on the effectiveness and administration of the community action program, Kansas City, Mo., under title II of the Economic Opportunity Act of 1964, as amended. p. H5076

91ST CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 91-322

CALIFORNIA DISASTER RELIEF ACT OF 1969

JUNE 23, 1969.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FALLON, from the Committee on Public Works, submitted the following

REPORT

[To accompany H.R. 6508]

The Committee on Public Works, to whom was referred the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

The first amendment strikes out all after the enacting clause and inserts in lieu thereof a substitute which appears in the reported bill in italic type.

The second amendment modifies the title of the bill to make it conform to the changes made by the amendment to the text.

GENERAL STATEMENT

The storms which struck California between January 11 and January 27, 1969, were the classic type which historically has produced floods in California. Warm, moist air brought in by a zonal flow from across the Pacific intersected a cold northerly flow over California. These warm storms produced precipitation up to about 7,000 feet.

The first storm which struck on January 11 brought major rises to most streams of the central and north coast. This storm was most serious, however, in the Russian River Basin where it caused floods 8½ feet above flood stage. The storm also served to prime watersheds in the Central Valley.

The second major storm began on January 18. This storm was unusual in that it produced rainfall from the Oregon to the Mexican borders. The heaviest rainfall from this wave of the storm fell in the

98-006—69——1

central and southern portions of the State, particularly in San Luis Obispo and Ventura Counties. The resulting flood set new records on the tributary in the Upper Salinas River Basin and on the Santa Ynez, Ventura, Santa Clara, and Los Angeles Rivers. Generally, the flooding in the southern California area was the worst in 31 years.

In the San Joaquin Valley, particularly high flows were generated on the Fresno, Chowchilla, Stanislaus, and the Tuolumne Rivers. Lack of storage space on the Stanislaus and the Tuolumne resulted in extremely high flows on the lower San Joaquin River. For over six hours, the San Joaquin levees passed the greatest flow of record until the levee on the Stanislaus River failed.

Farther north the Sacramento River flood control project was passing very high flows, but these flows were within the design capacity of the project and no major problems developed. Flood control storage in Oroville, Folsom, and Shasta Reservoirs was utilized to contain the high runoff from the mountains.

The storms continued, one after another, throughout the last part of January and the month of February.

The estimated amount of storm damage which can be ascertained at this particular time is as follows:

Total physical damage	$265, 000, 000
Public damage	165, 000, 000
Roads, streets, highways	80, 000, 000
Levees an public utilities	85, 000, 000
Private damage	100, 000, 000
Agriculture	55, 000, 000
Residential and commercial	20, 000, 000
Privately owned utilities	25, 000, 000

With most of the State declared a major disaster area by the President of the United States all available machinery of the Federal and State governments, as well as of the local governmental jurisdictions, was directed to immediate relief and subsequent rehabilitation.

Throughout the State of California the following number of counties have been declared disaster areas for one reason or another by the following agencies of the Federal Government:

Counties designated as disaster:	
Office of Emergency Preparedness	37
Small Business Administration	30
Farmers Home Administration (Designation of 4 others pending additional funds.)	15
Bureau of Public Roads	52

More than 100 deaths were attributed to the storm.

On a State level the Governor's Proclamations of emergency now cover all but six of the 58 counties, and the Governor's Disaster Proclamations now cover 40 of the 58 counties.

The situation was further aggravated by the fact that the mountains were covered with snow packs well in excess of 20 feet. These snow packs in the hills surpass almost all previous records. Only the snow falls of 1906 exceeded the records attained this year.

This catastrophe prompted the Chairman of the House Committee on Public Works, Hon. George H. Fallon, to send a special subcommittee composed of members of the Rivers and Harbors and the Flood Control Subcommittees to inspect the damage, and to meet with Federal, State and local officials. The subcommittee held hearings on February 11, 12, 13, and 14, 1969, in Sacramento, Madera,

Los Angeles, and Santa Barbara, to determine what the Federal Government could do to provide additional relief to the area.

On March 20 and 21, 1969, the Committee on Public Works held hearings on H.R. 6508 and related bills dealing with problems arising from the California flood. At that time the committee heard from members who represented the disaster areas and representatives of the Federal, State and local governments. The reported bill contains what the committee believes is necessary to give further aid to the disaster stricken areas.

Damages Prevented by Completed Federal and Other Projects

Completed or useful projects of the Corps of Engineers, constructed at a total Federal cost of $872 million prevented far greater damages which would have otherwise occurred. Estimates have been made that these prevented damages would, if they had occurred, cost about $1.6 billion.

As soon as the magnitude of the flood threat became apparent the Corps of Engineers installations in California were placed on a 24-hour flood alert and emergency operation centers were activated for service. Corps personnel were dispatched to the affected areas. These personnel were actively engaged in disaster work rendering technical assistance to State and local authorities or leading flood fights at the request of local authorities.

Corps personnel, operating within the statutory responsibility of Public Law 99, 84th Congress, conducted emergency operations such as those required to prevent possible levee failures on Kings River and San Joaquin River.

Major Provisions of the Bill

NEED FOR THE LEGISLATION

Section 1 of the reported bill is a statement of recognition by the Congress that the State of California has experienced extensive loss and damage as a result of storm, floods, and highwaters during the winter of 1968–69 and the spring of 1969, and that the Congress recognizes the need for special measures designed to aid and accelerate the State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

HIGHWAY REPAIRS

Section 2 authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal aid systems which were destroyed or damaged as a result of the storms, floods, and highways during the winter of 1968–69, and the spring of 1969. The section requires 50 percent participation by the State.

SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

In the Pacific Northwest Disaster Act of 1965, Congress authorized the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not yet been accepted by the Government as part of the national system of forest development roads and trails at the time of that disaster.

Subsequent to the passage of the Pacific Northwest Disaster Act, timber sale contracts were changed to recognize this problem. This provision of the bill would accomplish basically the same purpose—that is, to help timber operators reconstruct timber sale roads which have been damaged by this disaster. The new language is substantially identical to that which is now contained in the standard timber sale contract. There are 85 timber sale contracts without this language still in effect. There are 445 contracts with this language in them. This would put all timber sale purchasers on an equal footing.

Basically, section 3(a) would provide that the Federal Government would bear the cost of repairing these timber roads under certain conditions.

(1) If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

(2) If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

(3) If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) provides the Secretaries of Agriculture and Interior with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing arrangement.

REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the 1969 disastrous storms and floods in California has been the disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry, which, in turn, is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise these communities will face severe unemployment.

To help avert this condition, section 3(c) would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY OF PUBLIC LANDS

Section 4 of the bill grants to the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with by the floods and high waters.

Bureau of Reclamation Overhead Costs

Section 5 would repeal language included in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 as administered by the Office of Emergency Preparedness should be reimbursed in full by that Office to the Bureau of Reclamation. OEP interprets that provision as requiring that funds be on hand to reimburse the Bureau of Reclamation in full before disaster assistance may be provided, and the effect of this interpretation has been to preclude the use of the Bureau of Reclamation knowledge and abilities to relieve distress in disaster areas.

This language will place the Bureau of Reclamation on the same basis as the Corps of Engineers. Through enactment of this provision, the Office of Emergency Preparedness will be in a position to contract with whichever agency can more efficiently and effective and economically do the job.

Small Business Administration

Section 6 applies to SBA disaster loans for property loss or damage as a result of these storms, floods, and high waters to the extent that such loss or damage is not compensated for by insurance or otherwise. At the borrower's option, on that part of any loan in excess of $500, the SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof.

In addition the SBA would be authorized to defer any or all interest or principal payments during the first 3 years of the loan on a disaster loan made under the Small Business Act as a result of these storms, floods, and high waters, without regard to the borrower's ability to make these payments.

Farmers Home Administration

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

termination

Section 8 terminates the bill as of June 30, 1970, with the exception that the repeal of the provision of the Appropriations Act of 1967 is made permanent.

title

Section 9 identifies the bill as the "California Disaster Relief Act of 1969."

Committee Recommendations

Based on both personal observation as a result of the inspection trip taken by the special subcommittee to investigate conditions in California and on testimony received in hearings at Washington the committee recommends the enactment of this legislation. Every effort has been made under existing law in a most commendable fashion by the Office of Emergency Planning, assisted by the Corps

of Engineers, the Departments of Agriculture, Interior and Transportation, and the Small Business Administration to bring about the quickest possible relief to the California disaster area. However, the committee believes to fully restore the area to its full-scale vitality both for economic purposes and for normal living conditions that this additional legislation is needed. It, therefore, recommends the enactment of H.R. 6508.

Comments of Federal Agencies

The following comments were received by the committee from interested Federal agencies on H.R. 6508 and H.R. 6509:

Executive Office of the President,
Bureau of the Budget,
Washington, D.C., March 24, 1969.

Hon. George H. Fallon,
Chairman, Committee on Public Works, House of Representatives, Rayburn House Office Building, Washington, D.C.

Dear Mr. Chairman: This is in response to your request for Bureau of the Budget comments on H.R. 6508 and H.R. 6509, bills to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, flood, landslides, and high waters. The bills are concerned with property loss and damage in California during December 1968 and January and February 1969.

Your committee has asked interested agencies to comment on H.R. 6508 and H.R. 6509 and those agencies have made a number of recommendations with respect to specific provisions of the bills. We generally concur in those recommendations.

Section 2 would authorize appropriations of $15 million for fiscal year 1969 and $15 million for 1970 for the temporary and permanent repair and reconstruction of "highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law." The section does not specify the agency responsible for administration of these funds; nor does it specifically limit the use of the funds to repair and reconstruction of highway facilities damaged by the December 1968 and early 1969 floods.

Under existing law the Secretary of Transportation is authorized to pay up to 50 percent of the costs of repair or reconstruction of highways in the Federal-aid system, and 100 percent of such costs in the case of roads and trails in the national forests, national parks, public lands areas, and Indian reservations, when the damage results either from a natural disaster over a wide area or a catastrophic failure from any cause. In addition, Public Law 81–875 provides for emergency repairs and temporary replacements of public facilities, including highway facilities, of local governments which are damaged or destroyed in a major disaster. Under that law the Federal Government can pay the entire cost of temporary repairs or replacement of all non-Federal-aid public roads or, in the alternative, make a payment equal to such cost which the local community can apply to the cost of permanent repair.

The intent of the language in section 2—"highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of law"—is not altogether clear. The section as written would not appear to have any substantive effect on existing law, since, as indicated above, highway facilities not on the Federal-aid systems are eligible for Federal assistance under Public Law 81–875. If, on the other hand, the intent of section 2 is to broaden the scope of existing law to authorize the appropriation of Federal funds to pay for the permanent repair and reconstruction of all non-Federal-aid highways, the section raises a major issue of far-reaching consequences. Its enactment would tend to set a precedent with respect to the Federal role on a national basis for permanent reconstruction of local public facilities, including highways. Such a broadening of the Federal role would substantially alter the allocation of financial responsibilities between the Federal Government and the States for coping with the damage caused to local public facilities by major natural disasters.

We do not see a need for such a reallocation of responsibilities and, therefore, do not recommend favorable consideration of section 2 of the bills.

Section 3(a) would authorize Interior and Agriculture to reimburse purchasers of timber on Government lands for the costs of repairing or reconstructing access roads which they have built or have under construction, but have not been accepted by the Government at the time the roads were damaged. The timber purchaser would bear 15 percent of the costs of repair or reconstruction up to a maximum of $4,500, with the Government paying the remainder of the costs.

Agriculture points out in its report to the committee on the bills that the Forest Service's timber sale contract forms were changed after the experience with the damaging storms during the winter of 1964–65 to take care of the situations similar to those covered by this section.

The Department believes that relief afforded in the new contract forms should not be overriden by the provisions of section 3(a). With respect to outstanding contracts on forms in use before 1964–65, Agriculture points out that since such contracts were entered into, there have been substantial rises in prices of lumber and plywood, raising a serious question as to whether section 3(a) is needed to give relief to those who have benefited by those price increases.

We concur in Agriculture's suggestion that if legislation along the lines of section 3(a) is to enacted, it should conform to the revised contract forms as outlined in Agriculture's report.

Section 3(b) would enable Agriculture and Interior to allow cancellation of a timber sale contract when it is determined that restoration, reconstruction, or construction of a road or trail is not practical under the cost-sharing arrangement authorized by section 3(a). Agriculture, in its report to the committee, expresses no objection to this provision because of uncertainty in the provisions of some timber sale contracts with respect to the Secretary's cancellation authority. Similarly, we have no objection to this section.

We have been advised by Interior that there was no damage in California to construction of timber sale roads in which the Bureau of Land Management has an interest during the period specified in sections 3 (a) and (b).

Section 3(c) would amend the Federal-Aid Highway Act of 1968 to increase by $17.5 million the appropriation authorization under that act for construction and maintenance of forest development roads and trails in fiscal year 1970. We concur in Agriculture's recommendation that this provision be deleted, since no additional authorization is needed to perform the work required.

Section 3(d) would authorize Agriculture to reduce advance notice of timber sales from 30 to 7 days whenever necessary in order to assist in the reconstruction of damaged areas in California. We have no objection to this provision, but we wish to note that Agriculture in its report to the committee suggests a broadening of this authority to cover emergency situations other than those contemplated in the bill.

Section 4 would authorize Interior to grant appropriate extensions of time to public land entrymen to comply with entry requirements. This section is unnecessary in light of general and permanent authority for such extensions contained in section 11 of Public Law 89–769 the Disaster Relief Act of 1966.

Section 5 would prescribe the manner in which the disaster loan program under the Small Business Act would be administered with respect to property loss or damage resulting from the California storms. At the borrower's option, on that part of any disaster loan in excess of $500, SBA would be required either to cancel up to $2,500 of the loan or to waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed 3 years. In addition, SBA could make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise available from private sources, and could waive interest payments on such loans for the first 3 years.

In its comments to the committee on this section of the bill, SBA objects to these "forgiveness" provisions. With respect to cancellation of principal or waiver of interest on existing loans, SBA notes that such a procedure has been followed in only one previous case—the Hurricane Betsy disaster—and in that instance the great majority of borrowers were persons living close to the poverty level. Such circumstances do not seem to be present in the California situation. SBA also objects to those provisions of section 5 which would require the agency to make direct loans "without regard to whether the required financial assistance is otherwise available from private sources" and with waiver of interest payments for up to 3 years. SBA's existing procedures allow it to focus its assistance on those most in need of Federal assistance. We concur in SBA's objections to section 5 and, therefore, recommend against its favorable consideration.

Section 6 would similarly prescribe the manner in which the emergency loan program under the Consolidated Farmers Home Administration Act of 1961 would be administered with respect to the California situation. At the borrower's option, on that part of any emergency loan in excess of $500. Agriculture would be required either to cancel up to $2,500 of the loan, or to waive interest due on the loan up to $2,500 over a period not to exceed 3 years without regard to whether the financial assistance is otherwise available from private sources.

In its report to the committee on H.R. 6508 and H.R. 6509, Agriculture discussed its procedures in administering its emergency loan program. In providing loans for operating expenses, the Department requires repayment from annual income. However, when a borrower

does not have sufficient income to repay the loan because of damage to his ranch or farm, payment may be deferred for up to 3 years. With respect to real estate, Agriculture can defer the initial payment on its 20-year loans up to 3 years until the borrower has sufficient income available to begin payments. On the basis of the existing emergency loan program, Agriculture is opposed to the provisions of section 6. We agree with Agriculture's views and, accordingly, recommend against favorable consideration of section 6.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF EMERGENCY PREPAREDNESS,
Washington, D.C., March 20, 1969.

Hon. GEORGE H. FALLON,
Chairman, Committee on Public Works,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for comments on H.R. 6508 and H.R. 6509, 91st Congress, identical bills, entitled: "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters."

Most of the provisions of these bills do not significantly affect programs administered by the Office of Emergency Preparedness and we defer to the views of those agencies which are charged with the responsibility for carrying out those programs.

However, it appears that section 2 of the bills is directly related to the disaster assistance program administered by this Agency. Section 2 of the bills would authorize not to exceed $15 million for the fiscal year ending June 30, 1969, and not to exceed $15 million for fiscal year ending June 30, 1970, for allocation to the State of California for "temporary and permanent" repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under existing provisions of Federal law.

Section 125 of title 23 of the United States Code presently authorizes the Secretary of Transportation to repair or reconstruct highway facilities in the Federal-aid system which have been damaged or destroyed by a disaster covering a wide area. By contrast, roads not in the Federal-aid system which are damaged by a major disaster, as determined by the President, are presently eligible for temporary repair, but not permanent repair or reconstruction under the Federal Disaster Assistance Act (Public Law 81–875).

Section 2 of the proposed bills would authorize appropriations totalling $30 million to the State of California for the repair or reconstruction of highway facilities not in the Federal-aid system, and second, it would go beyond the provisions of the existing disaster act and authorize permanent as distinguished from temporary repair or reconstruction of those highway facilities. As we understand it, this would be the first time that such repairs or reconstruction would be paid for by Federal funds on a permanent, rather than a temporary basis. Under Public Law 81–875, the Federal Government can pay

the entire cost of temporary repair or replacement of all non-Federal aid public roads which have been damaged in any declared disaster area or, at the option of the local authority, will make an in-lieu payment equal to the cost of such temporary repair or replacement. Thus, the local authority is able to apply the amount of the in-lieu payment against the actual cost of permanent repair or permanent reconstruction.

From the standpoint of the administration's program, the Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely,

G. A. LINCOLN, *Director.*

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., March 20, 1969.

Hon. GEORGE H. FALLON,
Chairman, Committee on Public Works,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your February 10, 1969, request for the Department of Agriculture's views on H.R. 6508 and 6509 "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters."

We note that sections 3, 6, and 7 would affect the Department of Agriculture. Section 3 would modify present authorities and practices for reimbursement of timber sale contractors for costs of restoring roads in any stage of construction that were built in connection with timber sale contracts that were damaged or destroyed by recent California storms. Section 3 would also reduce to 7 days the minimum period of advance notice required for timber sales from national forests whenever the Secretary determines the sale of such timber will assist in reconstruction of any damaged area of California. It would also authorize additional funds for national forest roads and trails. Section 6 would authorize the Farmers Home Adinistration to make emergency loans in designated emergency loan counties in California to established farmers and ranchers who have suffered uncompensated loss or damage resulting from recent storms, floods, landslides, and high waters, without regard to their ability to get credit from other sources, to repair or restore their damaged property and to continue their normal farming or ranching operations. Section 6 would also authorize in connection with such loans in excess of $500 (a) the cancellation of up to $2,500, or (b) the forgiveness of interest to the extent of not to exceed $2,500 over a period not to exceed 3 years. The amount of the cancellation or forgiveness would be determined by the amount of the applicant's damage above $500 and the amount of his loan. Section 7 provides that this legislation shall not be in effect after June 30, 1970, with certain exceptions.

Our comments on the specific sections of these bills directly affecting this Department are as follows:

Section 3(a) The Forest Service Timber Sale Contract Forms (2400–5 and 2400–5T 7/65) were changed after the experience with the damaging storms during the winter of 1964–65. The relief afforded in

the new contract forms should not be overridden by the provisions of this legislation. Even though the Forest Service has a new form which can meet the problem, there are some outstanding contracts on forms that were in use before the 1964–65 winter floods. These, of course, do not have the provisions developed after the experiences of 1964–65. We should point out that since existing contracts on the old contract form were entered into there have been substantial rises in prices of lumber and plywood. This raises a serious question as to whether this subsection is needed to give relief to those who have already been the beneficiaries of these price rises. However, if the committee should look with favor on the purpose of this subsection, we suggest that the provisions should be along the lines of the new contract provisions. Briefly, under the new contract, were damage of the kind experienced or anticipated this spring results in additional work by the purchaser in restoring specified roads in any stage of construction authorized by the contract for the purchase of timber with an estimated cost; (1) of more than $1,000 for sales under 1 million board feet, or (2) of more than $1 per thousand board feet to sales over 3 million board feet, the estimated cost of construction is revised to take into account the entire cost of performing the additional work. We believe such a provision would be desirable for the equal treatment of all purchasers of Government timber.

(*b*) Because of uncertainty in the provisions of some timber sale contracts in regard to the Secretary's cancellation authority, we have no objection to this provision.

(*c*) This subsection should be deleted. No additional authorization is required to perform the work required. In fact, 23 U.S.C. 125, as amended by Public Law 90–495 adequately covers any foreseeable requirements.

(*d*) Our concern here is that the provision is not broad enough to cover the need to make quick emergency sales in areas outside of California and also in situations arising from other causes such as wind and ice storms when sales need to be made quickly both to get logs to mills whose supplies are cut off and to get logs out of the woods before insect infestations set in. The subsection should be broadened to cover these situations as well.

Section 6.—The Department does not recommend the enactment of this section. Emergency loans are made pursuant to subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended, in areas where damage resulting from a natural disaster has created a general need among established farmers and ranchers for temporary agricultural credit which cannot be met by other sources including the other Farmers Home Administration loan programs. These emergency loans are made by the Farmers Home Administration out of the Emergency Credit Revolving Fund. The revolving fund was established to assure that a standby source of funds would be available when needed as the result of a natural disaster.

Emergency loans are expected to be paid over the shortest period consistent with estimated ability. Generally, loans for annual operating expenses are payable from the year's income. However, when there will not be sufficient income to do this because of damage already caused by a natural disaster, the amount involved may be scheduled for payment over the shortest period consistent with estimated ability, but not beyond 3 years. Loans for real estate purposes are payable in annual

installments over periods up to 20 years but where income will not be available to meet the initial installment, because of a natural disaster, that installment may be deferred until income is available but not beyond 3 years.

If the proposed legislation is enacted, emergency loans to applicants as described above would be made under the same policies and for the same purposes as loans are being made in designated counties in 37 other States except with regard to suspension of the "credit elsewhere" statutory eligibility requirement and the forgiveness authorization described above.

The Department feels that Government funds should continue to be loaned only to applicants who are unable to obtain credit from other sources. We believe that the credit needs of California farmers and ranchers can be met under present policies. If this bill is enacted, it is estimated that the amount needed for California would be about twice the amount which would be required under present policies. Also, if the bill is enacted, provisions should be made for reimbursing the revolving fund for amounts cancelled or forgiven.

Section 7.—If other changes are made, this section will need to be modified accordingly.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

J. Phil Campbell,
Under Secretary.

Department of the Army,
Washington, D.C., March 25, 1969.

Hon. George H. Fallon,
Chairman, Committee on Public Works,
House of Representatives.

Dear Mr. Chairman: Reference is made to your request for the views of the Department of the Army with respect to H.R. 6508 and H.R. 6509, 91st Congress, identical bills "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, flood, landslides, and high waters."

These bills would provide appropriations and amend certain Federal laws and programs so as to afford assistance to the State of California for the reconstruction of areas damaged by the recent storms of December 1968 and January and February 1969. There would be authorized to be appropriated an amount not to exceed $15 million for each of the fiscal years ending June 30, 1969, and June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal systems and for which no emergency funds are available under any existing provision of Federal law. The bills would also provide for a cost sharing arrangement between the United States and timber sale contractors for restoration, as a part of the regular road and trail construction program, of roads damaged as a result of the storms. In addition, the Federal-Aid Highway Act of 1968 would be amended to provide additional assistance in the construction, repair, and reconstruction of forest development roads and trails.

The bill would also provide assistance to public land entrymen, by authorizing the Secretary of the Interior to give them such additional time as needed, because of the storms, to comply with requirements of law in connection with public land entry. Small businesses would be assisted by lesser loan requirements under the disaster loan program administered under the Small Business Act, as would individuals be similarly assisted in the administration of the emergency loan program under the Consolidated Farmers Home Administration Act of 1961.

H.R. 6508 and H.R. 6509 do not affect the authorities of the Corps of Engineers, and the Department of the Army, therefore, defers to the views of the agencies which would be affected by the bills.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the presentation of this report for the consideration of the committee.

Sincerely,

(Signed) STANLEY R. RESOR,
Secretary of the Army.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 28, 1969.

Hon. GEORGE H. FALLON,
Chairman, Committee on Public Works,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 6508 and H.R. 6509, identical bills "To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landlsides, and high waters."

Insofar as the bills affect any programs of this Department, we find that the bills would have little, if any, effect. Accordingly, we defer to the views of other interested Federal agencies as to the need for, or desirability of, this legislation.

The bill is directed primarily to assist in providing emergency funds which are not made available under such existing Federal laws as the Federal Disaster Act (Public Law 81–875), as amended (42 U.S.C. 1855). The bill would provide special relief to the State of California which has been devastated by recent storms, floods, and landslides. The proposed relief would, generally, consist of direct financial assistance in highway, road, and trail restoration and reconstruction, extension of time in which to comply with public land entry requirements, and cancellation or waiver of certain financial obligations under small business disaster and farm emergency loans. Appropriations in an amount not to exceed $30 million would be authorized.

Sections 3 and 4 of the bill are relevant to operations of the Bureau of Land Management of this Department.

Section 3 provides that, notwithstanding provisions of existing contracts, the Secretary of the Interior, as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs incurred or to be incurred in connection with these roads. A formula for sharing the costs is prescribed in the bill. The Secretary may allow cancellation of a contract where damages are so great that restoration is not practical. We are advised that there was no damage to

construction of timber sale roads in which the Bureau of Land Management has an interest during the period specified in the bill.

Section 4 of the bill authorizes the Secretary of the Interior to give any public land entryman additional time to comply with any requirement of law in connection with public land entry for lands in California affected by the storms, floods, landslides, and high waters during December 1968 and January and February 1969.

In our opinion, it is not likely that any cases under this section will arise because present entrymen are outside the storm area. It also appears that the Secretary already has full authority under section 11 of the act of November 6, 1966 (80 Stat. 1321; 42 U.S.C. 1855gg), to grant extensions to holders of leases, licenses, permits, contracts, or entries in connection with lands he administers through the Bureau of Land Management where he finds that a major disaster has impeded timely fulfillment of requirements and the extension will not prejudice rights of third parties.

Since the recent floods, and so forth, this Department is taking every action possible within our existing authorities and available funds to provide assistance to the people of California and we will continue to do so.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

RUSSELL E. TRAIN,
Acting Secretary of the Interior.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets):

THE LAST PARAGRAPH UNDER THE CENTER HEADING "ADMINISTRATIVE PROVISIONS" IN TITLE II OF THE PUBLIC WORKS APPROPRIATION ACT, 1967 (PUBLIC LAW 89-689)

[Any appropriations made heretofore or hereafter to the Bureau of Reclamation which are expended in connection with national disaster relief under Public Law 81-875 as administered by the Office of Emergency Planning shall be reimbursed in full by that Office to the account for which the funds were originally appropriated.]

For the information of the Members the provisions of law referred to in the bill are set forth below as they appear in the United States Code.

THE FIRST SECTION OF THE ACT OF JUNE 4, 1897 (16 U.S.C. 476)

§ 476. Sale of timber

For the purpose of preserving the living and growing timber and promoting the younger growth on national forests, the Secretary of Agriculture, under such rules and regulations as he shall prescribe, may cause to be designated and appraised so much of the dead, ma-

tured, or large growth of trees found upon such national forests as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. Before such sale shall take place notice thereof shall be given by the said Secretary of Agriculture for not less than 30 days, by publication in one or more newspapers of general circulation, as he may deem necessary, in the State or Territory where such reservation exists. In cases of unusual emergency the Secretary of Agriculture may, in the exercise of his discretion, permit the purchase of timber and cordwood in advance of advertisement of sale at rates of value approved by him and subject to payment of the full amount of the highest bid resulting from the usual advertisement of sale. He may, in his discretion, sell without advertisement, in quantities to suit applicants, at a fair appraisement, timber and cordwood and other forest products not exceeding $2,000 in appraised value. In cases in which advertisement is had and no satisfactory bid is received, or in cases in which the bidder fails to complete the purchase, the timber may be sold, without further advertisement, at private sale, in the discretion of the Secretary of Agriculture, at not less than the appraised valuation, in quantities to suit purchasers. Payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of Agriculture may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Secretary of Agriculture, in a separate account, and shall be covered into the Treasury. Such timber, before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of Agriculture not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make report in writing to the Secretary of Agriculture and to the receiver in the land office in which such reservation shall be located of his doings in the premises.

SECTION 7(b)(1) OF THE SMALL BUSINESS ACT (15 U.S.C. 636(b))

Disaster loans; term; suspension of principal and interest payments; rate of interest

(b) The Administration also is empowered—

(1) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate because of floods, riots or civil disorders, or other catastrophes;

(2) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small business concern located in an area affected by a disaster,

if the Administration determines that the concern has suffered a substantial economic injury as a result of such disaster and if such disaster constitutes—

(A) a major disaster, as determined by the President under sections 1855–1855g of Title 42, or

(B) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 1961 of Title 7;

(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal program or a highway project or any other construction constructed by or with funds provided in whole or in part by the Federal Government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business; and

(4) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in reestablishing its business if the Administration determines that such concern has suffered substantial economic injury as a result of the inability of such concern to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes.

No loan under this subsection, including renewals and extensions thereof, may be made for a period or periods exceeding thirty years: *Provided,* That the Administrator may consent to a suspension in the payment of principal and interest charges on, and to an extension in the maturity of, the Federal share of any loan under this subsection for a period of not to exceed five years, if (A) the borrower under such loan is a homeowner or a small-business concern, (B) the loan was made to enable (i) such homeowner to repair or replace his home, or (ii) such concern to repair or replace plant or equipment which was damaged or destroyed as the result of a disaster meeting the requirements of clause (A) or (B) of paragraph (2) of this subsection, and (C) the Administrator determines such action is necessary to avoid severe financial hardship: *Provided further,* That the provisions of paragraph (1) of subsection (c) of this section shall not be applicable to any such loan having a maturity in excess of twenty years. The interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per

centum of the balance of the loan outstanding at the time of disbursement, except that in the case of a loan made pursuant to paragraph (3), the rate of interest on the Administration's share of such loan shall not be more than the higher of (A) 2¾ per centum per annum; or (B) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum, plus one-quarter of 1 per centum per annum.

SUBTITLE C OF THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961 (7 U.S.C. 1961–1967)

SUBCHAPTER III.—EMERGENCY LOANS

§ 1961. Designation of emergency areas; persons eligible for loans

(a) The Secretary may designate any area in the United States and in Puerto Rico and the Virgin Islands as an emergency area if he finds (1) that there exists in such area a general need for agricultural credit which cannot be met for temporary periods of time by private, cooperative, or other responsible sources (including loans the Secretary is authorized to make under subchapter II of this chapter or to make or insure under subchapter I of this chapter or any other Act of Congress), at reasonable rates and terms for loans for similar purposes and periods of time, and (2) that the need for such credit in such area is the result of a natural disaster.

(b) The Secretary is authorized to make loans in any such area (1) to establish farmers, ranchers, or oyster planters who are citizens of the United States and (2) to private domestic corporations or partnerships engaged primarily in farming, ranching, or oyster planting provided they have experience and resources necessary to assure a reasonable prospect for successful operation with the assistance of such loan, and are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

§ 1962. Purpose of loans

Loans may be made under this subchapter for any of the purposes authorized for loans under subchapter I or II of this chapter.

§ 1963. Limitation of loans to amount certified by county committee

The Secretary shall make no loan under this subchapter in excess of an amount certified by the county committee.

§ 1964. Liability of borrower; interest rate; maturity; security

The Secretary shall make all loans under this subchapter at a rate of interest not in excess of 3 per centum per annum repayable at such times as the Secretary may determine, taking into account the purpose of the loan and the nature and effect of the emergency, but not later than provided for loans for similar purposes under subchapters

I and II of this chapter, and upon the full personal liability of ths borrower and upon such security as the Secretary may prescribe

§ 1965. Persons suffering isolated production losses and indebted borrowers eligible for loans

The Secretary may make loans without regard to the designation of emergency areas under section 1961(a) of this title to persons or corporations (1) who have suffered severe production losses not general to the area or (2) who are indebted to the Secretary for loans under the Act of April 6, 1949, as amended, or the Act of August 31, 1954, as amended, to the extent necessary to permit the orderly repayment or liquidation of said prior indebtedness.

§ 1966. Emergency Credit Revolving Fund utilization

The Secretary is authorized to utilize the revolving fund created by section 1148a of Title 12 (hereinafter in this subchapter referred to as the "Emergency Credit Revolving Fund") for carrying out the purposes of this subchapter.

§ 1967. Emergency Credit Revolving Fund appropriations

(a) All sums received by the Secretary from the liquidation of loans made under the provisions of this subchapter or under the Act of April 6, 1949, as amended, or the Act of August 31, 1954, and from the liquidation of any other assets acquired with money from the Emergency Credit Revolving Fund shall be added to and become a part of such fund.

(b) There are authorized to be appropriated to the Emergency Credit Revolving Fund such additional sums as the Congress shall from time to time determine to be necessary.

○

Union Calendar No. 123

91st CONGRESS
1st SESSION

H. R. 6508

[Report No. 91–322]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1969

Mr. JOHNSON of California (for himself, Mr. DON H. CLAUSEN, Mr. ANDERSON of California, Mr. MOSS, Mr. MCFALL, Mr. LEGGETT, Mr. EDWARDS of California, Mr. GUBSER, Mr. TALCOTT, Mr. TEAGUE of California, Mr. WALDIE, Mr. SISK, Mr. MATHIAS, Mr. SMITH of California, Mr. HAWKINS, Mr. LIPSCOMB, Mr. REES, Mr. BROWN of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. PETTIS, Mr. MCCLOSKEY, Mr. HOLIFIELD, Mr. VAN DEERLIN, and Mr. TUNNEY) introduced the following bill; which was referred to the Committee on Public Works

JUNE 23, 1969

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, landslides, and high waters during December 1968 and January and February 1969, (2) that much of the affected area is federally owned and~~

administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount not exceeding $15,000,000 for the fiscal year ending June 30, 1969, and not to exceed $15,000,000 for the fiscal year ending June 30, 1970, for allocation to the State of California by the President, for the temporary and permanent repair and reconstruction of highway facilities not on any of the Federal-aid systems and for which no emergency funds are available under any existing provision of Federal law.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be

~~incurred for restoring roads in any stage of construction as authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969 in California, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the storms, floods, landslides, and high waters but which, because of changed conditions resulting from the storms, floods, landslides, and high waters, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the storms, floods, landslides, and high waters, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the~~

increase in the cost of such construction as the result of the storms, floods, landslides, and high waters is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (5) of section 5 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(5) For forest development roads and trails, $187,500,000 for the fiscal year ending June 30, 1970, of which not to exceed $17,500,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the State of California necessary because of the storms, floods, landslides, and high waters in such State during December 1968 and January and February 1969, and $170,000,000 for the fiscal year ending June 30, 1971."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of

timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969.

SEC. 5. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 (A) cancel up to $2,500 of the loan, or (B) waive interest due on the loan in a total amount of not more than

~~$2,500 over a period not to exceed three years; and (2) may make direct loans to any person suffering such loss or damage without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such loan for the first three years of the term of the loan.~~

~~SEC. 6. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), in the case of property loss or damage in the State of California resulting from storms, floods, landslides, and high waters during December 1968 and January and February 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, at the borrower's option on that part of any loan in excess of $500 (1) cancel up to $2,500 of the loan, or (2) waive interest due on the loan in a total amount of not more than $2,500 over a period not to exceed three years without regard to whether the required financial assistance is otherwise available from private sources.~~

~~SEC. 7. This Act, other than the amendment made by section 3(c), shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.~~

~~SEC. 8. This Act may be cited as the "California Disaster Relief Act of 1969".~~ *That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.*

SEC. 2. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $30,000,000 for allocation to the State of California by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968–1969 and in the spring of 1969 in California. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State of California agrees to share equally with

the United States all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969 in California a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public

notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Small Business Adminis-

tration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the

loan without regard to the ability of the borrower to make such payments.

SEC. 8. This Act, other than the repeal made by section 5, shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 9. This Act may be cited as the "California Disaster Relief Act of 1969".

Amend the title so as to read: "A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters."

Union Calendar No. 123

91st CONGRESS
1st SESSION

H. R. 6508

[Report No. 91–322]

A BILL

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

By Mr. JOHNSON of California, Mr. DON H. CLAUSEN, Mr. ANDERSON of California, Mr. MOSS, Mr. MCFALL, Mr. LEGGETT, Mr. EDWARDS of California, Mr. GUBSER, Mr. TALCOTT, Mr. TEAGUE of California, Mr. WALDIE, Mr. SISK, Mr. MATHIAS, Mr. SMITH of California, Mr. HAWKINS, Mr. LIPSCOMB, Mr. REES, Mr. BROWN of California, Mr. ROYBAL, Mr. CHARLES H. WILSON, Mr. PETTIS, Mr. MCCLOSKEY, Mr. HOLIFIELD, Mr. VAN DEERLIN, and Mr. TUNNEY

FEBRUARY 6, 1969

Referred to the Committee on Public Works

JUNE 23, 1969

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued June 26, 1969
For actions of June 25, 1969
91st-1st No. 105

CONTENTS

Agricultural appropriations.....1,20
Appropriations.....1,24
Atomic energy.....49
CCC.....48
Census.....29
Congressional reform....31
Conservation.....8
Contracts.....46
Cotton.....11
Data processing.....6
Democratic platform.....35
Disaster relief.....5
Education.....19,37
Environment.....28,51
Exports.....2
Farm program.....30,38
Federal aid.....19
Fiscal year.....50
Foreign trade.....2,4,23
Forestry.....9,21,42,43
Garden bulletins.....36
Grains.....10
Grain storage.....48
Hawaiian papayas.....45
Health.....14
Horses.....40
Housing.....12
Indian affairs.....22,34
Inflation.....18
Information.....18,36
Interest rates.....12,33
Interstate commerce.....25
Job corps.....7
Lands.....41
Legislative program..20,32
Loans.....48
Marketing agreements....45
National parks.....3,17
Personnel.....44,47
Pesticides.....15,26
Pollution.....15,23,39
Poverty.....7,27
Property.....44
Radiation hazards.....49
Reclamation.....41
Retirement.....44,47
Selective service.....13
Small business.....16
Subsidy payments.....11
Tariff.....4,23
Taxation.....4,23,25,44
Timber yield.....9,42
Water pollution...15,23,39
Wilderness.....21,43

HIGHLIGHTS. Senate committee reported agricultural appropriation bill. Senate passed continuing appropriation bill. Senate committee reported disaster relief bill. Senate passed duty suspension bill amended to continue surcharge tax. House committee voted to report Calif. wilderness bill. Sen. Muskie introduced and discussed intergovernmental revenue bill. Rep. Poage introduced farm bill.

SENATE

1. APPROPRIATIONS. Passed without amendment H. J. Res. 790, making continuing appropriations (until Oct. 31, 1969) for fiscal year 1970 (p. S7115). The bill was reported earlier by the Appropriations Committee (S. Rept. 91-274). This bill will now be sent to the President.

The Appropriations Committee reported with amendments H. R. 11612, the Agricultural appropriation bill for 1970 (S. Rept. 91-227). p. S7099

The Appropriations Committee reported with amendments H. R. 11582, the Treasury-Post Office appropriation bill for 1970 (S. Rept. 91-278) (p. S7099). The "Daily Digest" states "as approved by the committee, the bill would appropriate a total of $8,787,208,000, an increase of $7,863,000 over the House-passed total of $8,779,345,000" (p. D550).

2. EXPORTS. The Banking and Currency Committee reported without amendment S. J. Res. 122, to provide for a temporary extension of the authority conferred by the Export Control Act of 1949 (S. Rept. 91-275). p. S7099

3. NATIONAL PARKS. The Interior and Insular Affairs Committee reported with amendments S. 621, to provide for the establishment of the Apostle Islands National Lakeshore in Wisc. (S. Rept. 91-276). p. S7099

4. TARIFF; TAXATION. Passed with amendment H. R. 4229, to continue for a temporary period the existing suspension of duty on heptanoic acid, and to continue for one month the existing rates of withholding of income tax (pp. S7114-9). The bill was reported earlier with an amendment to continue for 1 month the existing rates of withholding of income tax (including withholding of surcharge tax) by the Finance Committee (S. Rept. 91-279) (p. S7099).

Sen. Metcalf opposed extending the surtax without tax reform legislation. p. S7087

5. DISASTER RELIEF. The Public Works Committee reported with amendment S. 1685, to provide additional assistance for areas suffering a major disaster (S. Rept. 91-280). p. S7099

6. DATA PROCESSING. Both Houses received from GAO a report on the study of the acquisition of peripheral equipment for use with automatic data processing systems; to Government Operations Committees. pp. H5311, S7098

7. POVERTY. Received from GAO a report on the Cispus Job Corps Civilian Conservation Center Under the Economic Opportunity Act, 1964, Randle, Wash., USDA, OEO, June 25, 1969. p. S7098

8. CONSERVATION. Sen. Yarborough corrected a clerical error which had omitted names of certain co-sponsors of S. 1790, the Great Plains conservation bill, when it was reported by Agriculture and Forestry Committee June 24. pp. S7113-4

Sen. Nelson commended and inserted a speech by the second vice president of the League of Women Voters of the U. S., at the recent North American wildlife and natural resources conference in Washington on "Broadening Conservation's Constituency." pp. S7163-5

Calendar No. 271

91st Congress
1st Session

SENATE

Report
No. 91-280

DISASTER RELIEF

June 25, 1969.—Ordered to be printed

Mr. Bayh, from the Committee on Public Works, submitted the following

REPORT

together with

SEPARATE VIEWS

[To accompany S. 1685]

The Committee on Public Works, to which was referred the bill, (S. 1685) to provide additional assistance for areas suffering a major disaster having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

PURPOSE OF THE LEGISLATION

The purpose of S. 1685, as reported by the Committee on Public Works, is to provide emergency relief and temporary assistance to private citizens who suffer losses and privation as a result of a major disaster. This broadening and enlargement of existing statutory provisions is a necessary and logical sequence to the great emphasis which has heretofore been placed on assistance to local and State governments for the replacement of public facilities. Major disasters, when they occur, also wreak serious harm to private individuals and deprive them of the ability to provide themselves with the basic necessities of life—food, clothing, and shelter. Without emergency assistance to enable people so stripped of the means for survival to reestablish their place in the community within a reasonable time and under satisfactory conditions, the entire community will be seriously impeded in its recovery from the impact of a major disaster.

The Committee on Public Works recognizes the need for effective State advance planning and direct involvement in meeting major disasters and in preparing to coordinate and organize assistance for

individuals and communities. In addition, Federal assistance to States in protecting public health and safety must also be provided through help in clearance of debris from lakes contaminated as a result of major disaster and private property on which debris has been deposited by such disasters.

During the hearings on S. 993, the committee was made aware of the need for relief to certain timber sale contractors in California whose ability to meet the terms of their contract with the Federal Government was seriously impaired as a result of the flooding which took place in December 1968 and January and February 1969. The committee is further aware that similar situations could occur elsewhere in the country.

THE NEED FOR ADDITIONAL DISASTER RELIEF LEGISLATION

In 1964 and 1965, the Nation experienced a series of devastating and widespread major disasters—hurricanes, floods, tornados, earthquakes, and so forth. The customary practice of enacting special measures granting relief for specific stricken areas proved totally inadequate. Evidence presented to the Congress indicated that Federal law did not provide sufficient authority to cope with catastrophes as they occur. The specific disaster-by-disaster legislation approach was uncertain and characterized by great delay and much variation in treatment of the different stricken areas.

Investigation disclosed further that, while fairly adequate help for damages incurred by governmental agencies and operations had been authorized by national disaster legislation, comparatively little basic assistance had been made available to private individuals. Although acts providing special relief for citizens had been adopted from time to time, such as those following the Alaskan earthquake or the Northwest floods, there was no permanent legislation authorizing immediate and comprehensive Federal assistance to help restore to normal life private victims who had suffered extensive losses to their homes and livelihoods. Moreover, it seemed wasteful, unsystematic, and inexpedient for Congress to consider separate new relief bills each time a major disaster took place.

LEGISLATIVE BACKGROUND

In an attempt to rectify this deficiency, more than 40 Senators joined on April 30, 1965, in introducing S. 1861, a bill proposing several major revisions in the basic disaster relief law. After hearings were held and certain modifications made, this committee on July 15 without dissent reported S. 1861 favorably, and it was adopted unanimously by the Senate one week later. Hearings were held during the following year by the House Public Works Committee and an amended version of the bill, which deleted several important sections, was passed by the House of Representatives on October 17, 1966. Because of the impending congressional adjournment, the Senate concurred in these amendments the next day, and the bill was signed by the President on November 6, 1966.

The new act (Public Law 89–769) retained, with some minor changes in language, most of the provisions of S. 1861 which dealt with the problems of loan adjustments, disaster warnings, assistance to unincorporated communities, restoration of public facilities, and non-

duplication of benefits. An excellent new section was added by the House of Representatives which provided aid for higher educational facilities damaged in major disaster areas. Other new sections authorized an extension in time for fulfilling requirements in certain public land matters and directed the President to plan and coordinate, through the Office of Emergency Planning, all major disaster assistance. The act also ordered a study to be made of additional or improved air operational facilities needed to prevent or minimize losses from grass or forest fires.

Several significant provisions of the original bill, however, were not included in Public Law 89–769. Provisions for disaster loans to both homeowners and business concerns, without regard to whether or not the required financial assistance might be provided by private sources, were eliminated. A proposed new cost-sharing program, which invited States to develop comprehensive disaster relief plans eligible for Federal grants up to 50 percent of the losses sustained in major disasters, with the State governments and individual owners each assuming 25 percent of the cost, was deleted. Similarly, a section providing for shelters for victims whose homes have been made uninhabitable by a major disaster was not enacted.

The need for the provisions deleted from the original bill were of sufficient significance to warrant further consideration. Accordingly, on January 17, 1967, S. 438 was introduced.

Hearings on S. 438 were held in Dunlap, Ind., the site of great destruction during the 1965 Palm Sunday tornadoes, and in Washington, D.C. The field hearings brought forth testimony from officials and residents of disaster affected areas of Indiana, Illinois, and Michigan. These accounts emphasized the need for Federal legislation which would bring meaningful aid to affected individuals so that they could resume normal, productive lives as soon as possible.

S. 438 was reported by the Committee on Public Works on April 2 1968, but no action on it as such was taken by the Senate.

CALIFORNIA FLOODS

In December 1968 and January and February 1969, the people of the State of California experienced extensive property loss and damage as a result of storms, floods, landslides, and high water. Hearings were held on April 1 and 3, 1969, on S. 993, a bill to provide assistance to the State of California. Most of the relief sought in that legislation is presently available under existing Federal law, as a result of the enactment of Public Law 89–769. The Committee on Public Works, however, was once again impressed with the need for generally available Federal emergency assistance for individuals who have lost the ability to provide food, clothing, and shelter for themselves as a result of disaster and who, as a result of the severe flooding of croplands and orchards, are unable to find employment.

On March 26, 1969, 27 Senators cosponsored S. 1685 which provides the vehicle for achieving a proper level of temporary emergency assistance to such individuals and calls on the States to establish coordinated and comprehensive plans and programs for assisting individuals who suffer loss as a result of major disasters.

EXPLANATION OF THE PROVISIONS OF S. 1685

S. 1685 contains nine operative sections which provide: Federal loan adjustments, grants to States for disaster planning, shelter for disaster victims, food stamp program, assistance to unemployed individuals, clearance of lake contamination, fire control, debris removal, and timber sale contracts.

Federal loan adjustments

Section 3 authorizes the Small Business Administration to make loans to homeowners in an amount not to exceed $30,000 and to business concerns not to exceed $100,000, without regard to availability of financial assistance from private sources.

The comparable provision relating to the consolidated farmer's home loan program is statutorily designed as a loan program of the "last resort." As presently set up, the farmers home program has only limited funding authority.

The language relating to the change in the interest rate contained in an amendment to S. 993 and considered by the committee has not been reported since legislation of this type is pending before the Committee on Banking and Currency which has basic jurisdiction with respect to the Small Business Administration. An adjustment in interest rates, and a similar one in the consolidated farmers home loan program, are desirable. The committees with legislative jurisdiction may well wish to consider such changes in the law.

The language of section 3 obviates the need to take into consideration the availability of financial assistance to homeowners and businesses which might otherwise be available from private sources; it confirms the more liberal attitude to disaster loans which current regulations of the Small Business Administration appear to have adopted.

State disaster planning

Section 4 of the bill is a redraft of the language originally contained in S. 1681 of the 89th Congress, relating to a Federal-State grant program for assistance to homeowners and businesses. The new language would authorize assistance to States for disaster planning; it would limit Federal financial participation in such planning to not more than $250,000 for any State; it would require the designation or creation of a State agency to carry out the planning; and it requires that plans be submitted to the President no later than December 31, 1970.

Section 4 requires the President to report, not later than June 30, 1971, to the Congress recommendations resulting from the State submissions in order to carry out a Federal-State disaster operation. In addition, the President could also make recommendations relative to the overall Federal role.

It is hoped, as a result of such comprehensive plans and practicable programs, that an effective State disaster relief program could be developed which would eliminate the need for further Federal legislation in cases of disaster emergencies.

Shelter for disaster victims

Section 5 is one of three amendments to the existing Federal disaster emergency framework which will insure that families and individuals who lose their dwellings as a result of rampages of nature will be able to secure suitable accommodations without draining all of their economic resources. This section, together with sections 6 and 7, is designed to enable families and individuals to regain their place in the community. These sections are not intended to provide unlimited Federal support but would enable those who suffer the impact of natural disasters to recover as rapidly as possible.

Food stamp program

Section 6. Often in the aftermath of floods, hurricanes, and tornadoes, low-income households are unable to supply themselves with food. The Congress recognized this in the basic Disaster Relief Act of 1950, Public Law 875, when it provided authorization to make surplus commodities available. The provisions of section 6 of S. 1685 are designed to pull together all aspects of Federal law which bear on emergency food assistance to individuals. A food stamp program is a necessary element in this emergency relief program, and, while the Committee on Public Works has no intention of amending or otherwise changing the basic provisions of that legislation, it believes that, where applicable, the President should have the authority through the Department of Agriculture to make such relief available on an emergency basis.

Assistance to unemployed individuals

Section 7 recognizes that while public unemployment compensation programs and private income protection programs are available to a large number of workers and businessmen, there is a significant number of migratory workers who, when disaster strikes, lose everything, including the opportunity to work. Senator Alan Cranston of California, in an appearance before the Committee on Public Works, stressed the difficult situation of migratory farm labor in California following the winter rains and floods. This provision attempts to fill the gap in Federal authority by bringing aid to those who are unemployed as a result of a major disaster. Such assistance would be in the form of unemployment compensation in the nature both of a temporary income supplement and, especially, of employment services designed to provide gainful and productive employment as rapidly as possible. This provision is made necessary by the fact that public assistance funds in an area overwhelmed by a major disaster are almost immediately depleted, and neither the local nor the State government is capable of meeting the problem.

Public health and safety

Section 8, clearance of lake contamination; section 9, fire control; and section 10, debris removal. These sections, in providing greater assistance to States to cope with these problems, recognize the need for State efforts to remove threats to the public health and safety.

Clearance of lake contamination

The need for the language in section 8 became apparent to the committee during the hearings in Dunlap, Ind. in 1967 when testimony revealed that food and other contaminating materials had been deposited in a number of small lakes making them unusable by the people of the area and presenting a threat to public health.

Fire control

Section 9 relating to fire control is a result of the study conducted by the Office of Emergency Preparedness pursuant to the requirements of section 13, Public Law 89–769, the Disaster Relief Act of 1966, which demonstrated the need for grants to States to assist in the suppression of forest or grassland fires which threaten to become a major conflagration, especially in the Western States.

Timber sale contracts

Section 11. Testimony received by the committee during its hearings on S. 993, the California Disaster Relief Act, brought to light that some timber sale contractors are seriously affected by the provisions of their contracts relating to the reconstruction of timber sale and timber roads. Following the Northwest floods of 1964, the Department of Agriculture adopted a new contract form which provides for relief to timber sale contractors whose operations are seriously affected by a major disaster. The language of section 11 would provide similar relief to those who entered into contracts prior to July 1, 1965.

Pending the development of the comprehensive State plan and the recommendations of the President with respect to such State plans and his review of existing Federal disaster relief, the provisions of S. 1685, if enacted, should result in a broad gauged and inclusive Federal program of action in emergency situations.

SECTION-BY-SECTION ANALYSIS

Section 2. Definitions

Retained in this section is the standard definition of a major disaster as one which has been declared by the President under the Disaster Act of 1950 (42 U.S.C. 1855–1855g). No provisions of S. 1685 would be operative except in those instances and areas where the President has declared that a major disaster exists.

Section 3. SBA disaster relief loans

Under the provisions of this section, disaster loans for homeowners up to $30,000 and for business concerns up to $100,000 could be made by the Small Business Administration without regard to whether or not the required financial assistance could be provided by private sources.

The purpose of this language is to guarantee equality of treatment to all major disaster sufferers who apply for disaster loans. Long-term loans at minimum interest rates for owners of property severely damaged in major disasters has been authorized by previous legislation. However, loans have been denied in a number of worthwhile

cases because private financing could be obtained, although at much higher rates and less favorable terms. The effect of this policy is to penalize those who have good credit rating because they have been careful in protecting their homes and successful in developing their businesses, even though their losses may be as great and their hardships as difficult as those of neighbors who may not possess comparable credit standing.

The committee believes it is unfair to place individuals and concerns at a disadvantage because of previous thrift and enterprise. Therefore, section 3 would eliminate the possibility of any discrimination in the administration of SBA disaster relief loans.

Section 4. Grants to States for disaster planning

The purpose of this section is to encourage the formulation by States of comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. Grants up to $250,000 could be made by the President to any applicant State on a matching basis for no more than half the cost of developing a comprehensive State plan.

To be eligible for a planning grant, a State would have to establish or designate a State agency which would be responsible for developing and administering its disaster relief plan and program. Each participating State would have to submit its plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the plans. At the same time the President would, if he deems it warranted, make other suggestions about Federal participation in disaster relief programs.

The President would be authorized to prescribe any rules or regulations necessary for the effective administration of the planning grant program.

Section 5. Shelter for disaster victims

The President would be authorized to provide necessary shelter for owners or tenants whose places of residence have been made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and their families. Dwelling accommodations necessary for this purpose, including mobile homes, could be either purchased or leased, and in turn would be rented to disaster victims for such period as necessary until they can obtain other suitable housing. Rentals for emergency shelter could be adjusted for a period not to exceed one year according to the financial ability of the occupants, but in no case would the family's monthly housing expense be required to be more than one-fourth of the family's monthly income.

Section 6. Food stamp and surplus commodities program for disaster relief

The President would be authorized to distribute food stamp coupons and surplus commodities to low-income households which are not able to purchase adequate amounts of nutritious food because of a major disaster. Such distribution of food stamps and commodities would be done pursuant to legislation now governing the handling of these matters, but the President would be free to disregard other eligibility requirements in order to bring quick aid to disaster sufferers.

The committee considers this to be strictly an emergency program for those needing immediate help. Provisions were added to the section making it clear that the basic food stamp program would not be amended except with respect to the availability of food stamps in a major disaster area where the President has determined special assistance is necessary.

Section 7. Assistance to individuals unemployed by major disasters

The President would be authorized to provide assistance to those individuals unemployed as a result of a major disaster who are not receiving unemployment compensation or private income protection insurance. Any assistance provided under this section could not exceed the number or amount of payments such an individual would have received if he had been qualified for State unemployment compensation payments.

The purpose of this section is to enable compensation to be paid to those comparatively few persons who might lose their livelihood because of destruction wrought in a major disaster but who are not entitled to unemployment compensation during the period they are jobless. This section would relieve the hardships incurred by certain migratory workers, not covered by State employment laws, who have been deprived of expected labor and earnings by the ravages of a disaster. It should be reiterated that, similar to section 6, the assistance contemplated in this section would be available only during short-term emergency periods for those who are in dire need of immediate aid. It would in no way affect or interfere with present State unemployment compensation systems.

Section 8. Clearance of lake contamination

This section would authorize the President to make grants to any State or political subdivision for assistance in clearing lakes of debris which is hazardous to public health and safety. Evidence presented to the committee indicated a reluctance or uncertainty about the assumption of responsibility for removing obstructions or contaiminating material deposited in small lakes during a major disaster. Even though this may be a relatively infrequent occurrence, the committee agreed that such dangerous situations would justify Federal assistance to restore such lakes to a usable, safe, and healthful condition.

Section 9. Fire combatance assistance

This section would authorize the President to make grants and loans to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters. Small conflagrations, originating in areas which lack sufficient equipment or manpower to contain them, at times have developed into uncontrollable holocausts which have devoured huge quantities of timber or grasslands, both public and private.

Although the U.S. Forest Service has a large number of well-trained, able firefighters and extensive equipment to use in protecting lands under its jurisdiction, this is often not true in the case of privately owned tracts and sometimes is lacking in public areas as well. The great losses resulting from the huge fires which devoured thousands of acres of timber in the Northwest during 1967 made it clear that State and local governments have not been able to devote

sufficient resources to the huge task of providing adequate equipment and manpower to quell forest and grassland blazes before they have expanded into large conflagrations. Section 9 would make available Federal assistance to States to help control such fires which might develop into major disasters.

Section 10. Debris removal

The President would be authorized to make grants to any State or political subdivision to assist in the removal of debris which has been left on privately owned lands as the result of a major disaster and which has created conditions hazardous to health and safety. Instances were brought to the attention of the committee where large, dangerous objects and pieces of structures had been deposited by tornadoes, hurricanes or floods on private property which were menaces not only to the individual property owner but to others as well. The committee believes that under these circumstances aid should be extended to State and local governments to help pay for the necessary costs involved in restoring such property to a safe condition.

Section 11. Timber sale contracts

The Secretary of the Interior and the Secretary of Agriculture would be authorized to reimburse timber sale contractors or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber, which have been damaged by major disasters. On any roads not accepted before damage has been caused by a major disaster, the timber purchaser would assume 15-percent of all costs of restoration up to a maximum of $4,500, and the Secretary of the Interior or the Secretary of Agriculture would assume the rest. However, this arrangement would not apply if the cost of restoring or reconstructing a road is less than $500, or if the increase in the cost of new road construction is less than $500, because of a major disaster.

Section 12. Effective date

The act would apply to all major disasters occuring after December 31, 1968.

COMMITTEE RECOMMENDATIONS

The Committee on Public Works, having considered this legislation, and notwithstanding agency opposition, is of the opinion that the provisions contained therein are of vital importance to those suffering hardship as a result of a major disaster. Enactment of S. 1685, as reported, is therefore recommended.

SEPARATE VIEWS

When a disaster strikes, it brings great hardship to many individuals and may result in loss of life, bodily injury, and millions of dollars in property damage. We are all sympathetic to the pressing needs of families and communities in such emergencies, and even at the writing of these views (June 23, 1969), my State of Kansas is suffering from the after effects of damaging tornadoes.

Despite continuing reservations, I voted for S. 1685, and wish to set forth some of the reasons for my position:

S. 1685 was substantially amended, both clarifying and deleting provisions of the bill which were, in my opinion, ambiguous and unnecessary. In particular, section 6, providing food stamps to disaster victims, would have been, in my opinion, considered by the Senate Agriculture Committee which is presently reviewing the Food Stamp Act of 1964. However, because this bill was drafted in an effort to correlate all aspects of Federal law which bear on emergency assistance to individuals and presently section 6 clearly requires the President to act through the Department of Agriculture, pursuant to the Food Stamp Act of 1964, as amended, it is hoped the bill will not thwart other provisions of law.

SECTION 7

I continue to have reservations about section 7 of the bill on which no hearings were held. We heard testimony on the need for such assistance, and in fact, there was nothing other than the comments of a few committee members to substantiate the fact that State and local public assistance funds are immediately depleted by a major disaster.

In my opinion, section 7 should have been subjected to close scrutiny and extensive public hearings, for it embraces an entirely new concept. It is hoped that before any President would implement provisions of section 7, he would review the broad implications of this section carefully. It seems inconceivable to me that the committee would accept such a provision when there is no estimate of the cost nor of the number who might possibly benefit from this provision.

CALIFORNIA DISASTERS

The California disasters occurring as a result of the flooding which took place in December 1968 and January and February 1969 were mentioned several times in the committee report. Because of the severe problems in California created by these disasters, Senator George Murphy of California introduced S. 993. Hearings were held on S. 993, at which time the needs of California were dramatically presented to this committee. It should be noted that several provisions of S. 993 are in the final draft of S. 1685. Section 11 provides relief to timber sale contractors who are affected by a major disaster. Section 3, authorizing the Small Business Administration to make loans to

homeowners in an amount not to exceed $30,000, and to business concerns not to exceed $100,000, is substantially the same as Senator Murphy's proposal.

CONCLUSION

It should be pointed out that no public hearings were held on this far-reaching proposal during this session of Congress. There are five new members of the Public Works Committee and notwithstanding the fact that hearings were held on some of the sections in 1965 and 1966, and on provisions deleted from the original bill in 1967, hearings this year could have cleared up much of the confusion surrounding sections 5, 6, 7, and perhaps others.

The chairman of our committee did, in an effort to give new members time to review past hearings, postpone consideration of the bill for a period of 2 weeks, and he is to be commended for this.

I find no fault with the general purpose of S. 1685, but do believe certain provisions, particularly section 7, should be stricken and that section 6 should be part of the general food stamp program.

These separate views are expressed to alert Members of the Senate and hopefully Members of the House to specific provisions that, in my opinion, need further consideration.

ROBERT DOLE.

Calendar No. 271

91st CONGRESS
1st Session

S. 1685

[Report No. 91–280]

IN THE SENATE OF THE UNITED STATES

March 26, 1969

Mr. Bayh (for himself, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Fong, Mr. Gravel, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kennedy, Mr. McGee, Mr. McGovern, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Yarborough) introduced the following bill; which was read twice and referred to the Committee on Public Works

June 25, 1969

Reported by Mr. Bayh, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide additional assistance for areas suffering a major disaster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That this Act may be cited as the "Disaster Relief Act of 1969".~~

~~DEFINITIONS~~

~~SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pur-~~

suant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

(b) In the administration of subtitle III of the Consolidated Farmers Home Administration Act of 1961, relating to emergency loans, any application for a loan thereunder in an amount of $30,000 or less may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the Secretary of Agriculture finds that the required financial assistance can be met by private, cooperative or other responsible sources (including loans the Secretary of Agriculture is authorized to make or insure under any other provision of law).

GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

SEC. 4. (a) The President is authorized in accordance with the provisions of this section to provide assistance to the States in developing and carrying out comprehensive and practicable programs for assisting homeowners and business concerns suffering property losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the territory of Guam, and American Samoa.

(b) From the sums appropriated pursuant to subsection (i) the President is authorized—

(1) to make grants to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing a program referred to in subsection (a): *Provided,* That the total grants made to any State under this paragraph shall not exceed $250,000; and

(2) to make grants to any State, upon the basis of an approved State plan, to pay not to exceed 50 per centum of the cost of carrying out such a program.

(c) Any State desiring to participate in the grant program under paragraph (2) of the preceding subsection shall designate or create an agency which is specially qualified to administer such a disaster relief program, and shall, through such agency, submit a State plan which shall—

(1) set forth a comprehensive and detailed State program for assistance to homeowners and business concerns suffering property losses as a result of a major disaster;

(2) specify that the homeowner or business concern will assume 25 percentum of the property loss sustained by it as a result of such a disaster, and the State will agree to pay 25 per centum of such loss;

(3) provide that no homeowner or business concern shall be eligible to participate in such a State program unless the damage to the property of such owner or concern resulting from such a disaster exceeds 5 per centum of the value of such property prior to such a disaster, or $100, whichever is the greater;

(4) specify that the maximum amount of loss to be shared jointly by the homeowner or business concern, the State, and the Federal Government under such a program shall be $30,000 in the case of a homeowner, and $100,000 in the case of a business concern;

(5) provide a means of appraisal to establish the fair market value of the property of such owner or concern damaged or destroyed as a result of such a disaster;

(6) provide assurances that equitable treatment will be accorded all eligible property owners;

(7) contain satisfactory evidence that the State will adequately supervise such program;

(8) provide such fiscal control and fund accounting procedures as the President deems necessary; and

(9) set forth such further information as the President may by regulation require.

(d) The President shall approve any State plan which complies with the provisions of subsection (c) of this section.

(e) No grant may be made under this section—

(1) for any loss for which insurance is available and collectible in such State at reasonable rates;

(2) for any loss in a State which does not have approved flood-plain zoning controls or other similar preventive measures in force; and

(3) to any public agency or organization for the loss of any property owned by such agency or organization.

(f) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section, and to prevent the waste or dissipation of Federal funds.

(g) Each State receiving assistance under this section shall, through its designated State agency, make such reports as the President may require and each such agency shall,

upon request of the President, make available its books and records for audit and examination.

(h) The President may exercise the powers conferred upon him by this section either directly or through such Federal agency as he may designate.

(i) Such sums as may be necessary to carry on the purposes of this section are hereby authorized to be appropriated.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be

made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

(d) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 6. (a) The Secretary of Agriculture is authorized to make grants to farmers whose farmlands or livestock have been damaged as the result of a major disaster. Such grants shall be made (1) for the purpose of assisting such farmers to prepare such lands for cultivation and to restore such lands or livestock to normal productive capacity, and (2) only in the case of lands on the farm normally used in the production of an agricultural crop. No grant shall be made hereunder to assist in restoring lands or livestock to production unless the Secretary determines that the cost of preparing such lands for produc-

tion has been increased as a direct result of such major disaster.

(b) The amount of the grant authorized under this section in the case of any farmer shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged lands for cultivation and restoring them to normal productive capacity, and in no event shall the amount of any such grant in the case of any farmer exceed $10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

(d) Such sums as necessary to carry out the provisions of this section are hereby authorized to be appropriated.

SEC. 7. (a) The Office of Emergency Planning is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

~~SEC. 8. (a) The Office of Emergency Planning is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.~~

~~(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.~~

~~SEC. 9. (a) The Director of the Office of Emergency Planning is authorized, upon application, to make payments to any person in reimbursement of expenses, not otherwise compensated for, which were incurred by such person in connection with the removal of debris deposited on privately owned lands as the result of a major disasted. As used in this section, the term "person" includes an individual, corporation, association, firm, organization, or local public body.~~

~~(b) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.~~

~~EFFECTIVE DATE~~

~~SEC. 10. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.~~ *That this Act may be cited as the "Disaster Relief Act of 1969".*

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

GRANTS TO STATES FOR DISASTER PLANNING

SEC. 4. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the

territory of Guam, American Samoa, and the Trust Territories.

(b) From the sums available for the purposes of this section, the President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring to participate in this program shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section.

(e) Upon the submission of such plans the President shall, not later than June 30, 1971, report and recommend to the Congress a program for implementation and funding of the State comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial

hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made

pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

FOOD STAMP PROGRAM

SEC. 6. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determina-

tion regarding availability of food stamps in major disaster situations.

ASSISTANCE TO INDIVIDUALS

SEC. 7. The President is authorized to provide to individuals unemployed as a result of a major disaster, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

CLEARANCE OF LAKE CONTAMINATION

SEC. 8. The President is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

FIRE CONTROL

SEC. 9. The President is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

DEBRIS REMOVAL

SEC. 10. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of a major disaster which has created conditions hazardous to health and safety.

TIMBER SALE CONTRACTS

SEC. 11. (a) Notwithstanding provisions of contracts entered into prior to July 1, 1965, the Secretary of the Interior and the Secretary of Agriculture shall, as part of the regular road and trail construction program administered by each such Secretary, reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by each such Secretary as incurred or to be incurred for restoring roads in any stage of construction, authorized by a contract for the purchase of timber from lands under such Secretary's jurisdiction, to substantially the same condition as existed prior to a major disaster, and to the extent costs determined by such Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to a major disaster but which, because of changed conditions resulting from such disaster, exceed road construction costs

as originally determined by such Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to a major disaster, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (A) in the case of any road restoration or reconstruction if the cost of such resoration or reconstruction is less than $500, and (B) in the case of any road construction if the increase in the cost of such construction as the result of a major disaster is less than $500 more than the construction costs as originally determined by such Secretary.

(b) Where either such Secretary determines that damages resulting from a major disaster are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by this subsection, he may allow the cancellation of any such contract notwithstanding provisions therein.

EFFECTIVE DATE

SEC. 12. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

Calendar No. 271

91st CONGRESS
1st Session

S. 1685

[Report No. 91–280]

A BILL

To provide additional assistance for areas suffering a major disaster.

By Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Fong, Mr. Gravel, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kennedy, Mr. McGee, Mr. McGovern, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Yarborough

March 26, 1969
Read twice and referred to the Committee on Public Works

June 25, 1969
Reported with an amendment

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

Issued July 2, 1969
For actions of July 1, 1969
91st-1st No. 109

CONTENTS

Adjournment.....6
Aging.....33
Agricultural appropriations.....1
Appropriations.....1,39
Atomic energy.....32
Census.....18
Contracts.....38
Credit.....14
Disaster relief.....7
Education.....17
Employment.....23
Environmental quality.....11,21,28
Farm payments.....16
Farm program.....26
Federal aid.....17
Food preservation.....10
Food stamps.....3
Foreign trade.....25,27
Fur imports.....27
Grapes.....19
Indian lands.....9
Lands.....36
Manpower.....24
Peaches.....20
Personnel.....23,24, 29
Pesticides.....22
Pollution.....10
Property.....34
Reclamation.....13
Recreation.....8
Regional development...37
Research.....2,10
Retirement.....29
River basin.....35
Safety.....38
Saline water.....2
Soil conservation.....4
Subsidy payments.....16
Taxation.....12,15,31
Truth in packaging.....5
Weather.....30
Wheat.....25

HIGHLIGHTS: Senate debated agricultural appropriation bill. Senate committee voted to report food stamp bill. House Rules Committee cleared Calif. disaster relief bill and bill to reserve certain lands for Pueblo de Taos Indians. House committee voted to report bill to establish Council on Environmental Quality.

SENATE

1. APPROPRIATIONS. Began consideration of H. R. 11612, the agricultural appropriation bill, 1970. Adopted all of the committee amendments with the exception of the two relating to funds for animal disease and pest control, the one providing necessary expenses for the special milk program, the one relative to milk for children in non-profit schools, summer camps, etc., and the one limiting farm subsidy payments to $20,000. These amendments were passed over and will be considered on Mon. pp. S7404-5, S7428-53

2. SALINE WATER; RESEARCH. The Senate received and both Houses agreed to the conference report on S. 1011, to authorize an appropriation of $26,000,000 for the fiscal year 1970 saline water conversion program with which to continue research, development, and testing in the technology of saline water conversion. This bill will now be sent to the President. pp. H5511, S7457-60

3. FOOD STAMPS. The "Daily Digest" states that the Agriculture and Forestry Committee voted to report (but did not actually report) "an original bill extending and revising the food stamp program, and authorizing funds therefor through fiscal year 1972." p. D574

4. SOIL CONSERVATION. Sen. Dirksen inserted a statement by Sen. Dole and an article from the USDA publication "Soil Conservation" on the contributions farm women have made to the development of Kansas. pp. S7420-21

5. TRUTH IN PACKAGING. Sen. Hart discussed the Fair Packaging and Labeling Act and inserted a list of package quantity standards which will be effective Oct. 1, 1969. pp. S7427-8

6. ADJOURNMENT. Agreed to a resolution that when the two Houses adjourn on Wed., July 2, they stand adjourned until Mon., July 7. p. S7405

HOUSE

7. DISASTER RELIEF. The Rules Committee reported a resolution for the consideration of H. R. 6508, the California disaster relief bill (p. H5549). As reported (see Digest 103) the bill provides:

(1) That the Federal Government bear the cost of repairing damage to timber roads under certain conditions.

(2) That the Secretaries of Agriculture and Interior have discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing arrangement.

(3) That at the borrower's option, on that part of any loan in excess of $500 made by the Small Business Adm. or the Farmers Home Adm. for property loss or damage as a result of these storms, floods, and high waters (to the extent that such loss or damage is not compensated for by insurance or otherwise), the SBA or FHA would be authorized to defer any or all interest or principal payments during the first 3 years of the loan on such disaster loan without regard to the borrower's ability to make these payments.

(4) That the legislation be terminated June 30, 1970, with the exception of the provision repealing certain language in the Public Works Appropriation Act, 1967, relative to Bureau of Reclamation appropriations.

91st Congress
1st Session
HOUSE OF REPRESENTATIVES
Report
No. 91-347

CONSIDERATION OF H.R. 6508

July 1, 1969.—Referred to the House Calendar and ordered to be printed

Mr. Sisk, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 463]

The Committee on Rules, having had under consideration House Resolution 463, reports the same to the House with the recommendation that the resolution do pass.

House Calendar No. 60

91ST CONGRESS
1ST SESSION

H. RES. 463

[Report No. 91–347]

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1969

Mr. SISK, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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RESOLUTION

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recom-

mended by the Committee on Public Works now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

House Calendar No. 60

91st CONGRESS
1st SESSION

H. RES. 463

[Report No. 91–347]

RESOLUTION

Providing for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

By Mr. SISK

JULY 1, 1969

Referred to the House Calendar and ordered to be printed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

Issued July 9, 1969
For actions of July 8, 1969
91st 1st No. 112

CONTENTS

Agriculture Committee...15
Appalachia.....1,14
Appropriations.....13,23
Bonds.....18,41
Budget outlays.....13
Cigarette advertising...20
Conservation.....8,38
Contracts.....39
Disaster relief....2,17,23
Environment.....4,24,25
Ethics.....37
Extension service.....21
Family farms.....36
Fat content.....28
Fees and charges.....34
Food stamps.....32,40
Foreign aid.....22
Foreign trade.....7,29
Forestry.....31
Future farmers.....26
Germ warfare.....19
Golden Eagle.....34
Holiday.....42
Hunger.....11
Information.....37
Interest rates.....18,41
Lands.....23,33
Legislative program.....23
Libraries.....12,27
National park.....33
Nutrition.....32
Personnel.....13,30
Pesticides.....25
Pollution.....4
Regional development.....1
Recreation.....8,9,34
Research.....5,14
Retirement.....30
Supplemental appropriations.....13
Surplus property.....43
Taxation.....6
Textile.....7
Timber yield.....31
Unemployment insurance.....3,16,35
Water resources.....10

HIGHLIGHTS: House received conference report on supplemental appropriation bill. Both Houses received President's unemployment insurance message. House cleared Calif. disaster relief bill. House Rules Committee cleared Appalachian regional development bill. Senate passed Appalachian regional development and disaster relief bills. Rep. Podell introduced and discussed nutrition and food stamp bills.

SENATE

1. APPALACHIA. Passed with amendments S. 1072, to authorize funds to carry out the Appalachian Regional Development Act and titles I, III, IV, and V of the Public Works and Economic Development Act (pp. S7660-69). Sen. Randolph described the main purposes of the bill as follows: "Extends the Appalachian and title V regional development programs for 2 years, until June 30, 1971...authorizes $294 million for the operative programs of the Appalachian Regional Commission, except highways, for 2-fiscal-year period...adds several important new programs, including funds for health demonstration projects to detect, diagnose, and treat black lung and other occupational diseases affecting coal miners...extends the Appalachian development highway program to June 30, 1973, and adds $150 million in new authorizations over the next 4 years...authorizes $285 million for the five regional Commissions established pursuant to title V of the Public Works and Economic Development Act...would extend for 1 year title I of the Public Works and Economic Development Act, under which the Economic Development Administration makes grants to assist local communities to improve their economic conditions."

2. DISASTER RELIEF. Passed as reported S. 1685, to provide additional assistance for areas suffering a major disaster (pp. S7669-71).

3. UNEMPLOYMENT INSURANCE. Both Houses received the President's message on unemployment insurance (H. Doc. 91-135) (pp. S7649-51, H5624-26); to S. Finance and House Ways and Means Committees. The President made recommendations for both Federal and State action. He proposes: That an additional 4.8 million workers be covered by unemployment insurance, including 400,000 on large farms employing four or more workers in each of 20 weeks, and 200,000 in agricultural processing activities. A requirement that States permit workers to continue to receive benefits while enrolled in training programs designed to increase their employability. A requirement to discontinue unemployment insurance to strikers. That the taxable wage base be raised over a five-year period to $6,000 and therafter be reviewed periodically to make certain the adequacy of financing. He recommended that a standard based on a minimum period of 15 weeks' employment be required as a condition of benefit eligibility and stated that he is proposing legislation that would automatically extend the length of time benefits are paid in all States when the national jobless rate of those covered by insurance equals or exceeds 4.5% for three consecutive months.

4. POLLUTION. Passed as reported S. 2276, to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act. pp. S7652-6

The "Daily Digest" states that the Interior and Insular Affairs Committee "reconsidered and ordered favorably reported with additional amendments, S. 1075, to provide for studies and research in connection with national policy on environmental quality." p. D593

5. RESEARCH. S. 1857, to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81-507, as amended, was passed over. p. S7652

6. TAXATION. Sen. Long inserted his statement before the Finance Committee, with regard to the proposed extension of the surtax, urging that "Senators identify their tax reform proposals to us by July 18 so that the Committee on Finance can proceed with the ordinary processing of intended tax reform." pp. S7674-75

Sen. Hartke stated the surtax "has directly contributed to a whole cycle of inflationary price raises" and inserted a supporting letter. pp. S7692-93

7. FOREIGN TRADE. Sen. Eagleton stated that he and others had urged the President "not to relegate the critically important function of negotiating foreign trade agreements to the Department of Commerce, but rather to keep the Office of Special Trade Representative in the White House" and that he feels "very strongly that the President should order the Office of Special Trade Representative to undertake public hearings at which information can be freely exchanged on the scope and ramifications of any new textile arrangement, prior to the time that arrangements are made for any negotiations." pp. S7677-9

Sen. Smith inserted a Maine Legislature resolution urging action to "promptly restrain the importation of foreign footwear and to provide adequate safeguards which will protect our domestic shoe industry and the citizens it employs." p. S7700

8. CONSERVATION. Received from the Calif. Legislature a resolution memorializing the President and the Congress to change existing laws regulating grants for soil conservation purposes to include recreation as a major beneficial use. p. S7679

9. RECREATION. Sen. Jackson commended the Bureau of Land Management on its booklet, "Room to Roam," a recreation guide to the public lands. p. S7693

10. WATER RESOURCES. Sen. Moss spoke in support of a report made 5 years ago by the special Subcommittee on Western Water Development on the concept of constructing "a gigantic project to divert water from Alaska and northern Canada to Canada's prairie Provinces and the United States" and inserted a letter on the subject. pp. S7696-97

11. HUNGER. Sen. Hatfield inserted an editorial, "Malnutrition--Here?" which he stated pointed out the connection between unemployment and malnutrition. pp. S7696-7

12. LIBRARIES. Sen. Yarborough inserted an editorial, "Federal Library Program Essential," which "points out the Nation's libraries are an important and vital element in our national education system." pp. S7699-700

HOUSE

13. APPROPRIATIONS. Received the conference report on H. R. 11400, the second supplemental appropriation bill for fiscal year 1969 (H. Rept. 91-356) (pp. H5620-3). On items for this Department the conferees agreed to the Senate figures shown in the table which is attached to Digest No. 96. The conferees concurred in the Senate amendment repealing Section 201 of the Revenue and Expenditure Control Act of 1968 (personnel limitation). The conferees announced that they will propose a substitute for the over-all ceiling on Government outlays.

Conferees were appointed on H. R. 11582, Treasury-Post Office, Executive Office of the President, and certain independent agencies appropriation bill for 1970. p. H5623

14. APPALACHIA; RESEARCH. The Rules Committee reported resolutions for consideration of H. R. 4018, a bill to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965, and H. R. 10878, a bill to authorize appropriations for activities of the National Science Foundation. p. H5727

15. AGRICULTURE COMMITTEE. Agreed that for the remainder of this Congress, the Committee on Agriculture shall be composed of 34 members; and elected Rep. John Melcher, Mont., to the Agriculture Committee. p. H5624

16. UNEMPLOYMENT INSURANCE. Rep. Gerald Ford commended the President's proposals to expand and improve the unemployment insurance system. pp. H5626-7

Received from the Labor Dept. a proposed bill to extend and improve the Federal-State unemployment compensation program; to Ways and Means Committee. p. H5726

17. DISASTER RELIEF. Agreed to a resolution providing for consideration of H. R. 6508, the Calif. disaster relief bill. The resolution provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment. pp. H5631-2

18. BONDS; INTEREST RATES. Rep. Michel favored the President's proposal to increase the interest on U. S. savings bonds. pp. H5687-8

19. GERM WARFARE. Rep. McCarthy inserted Secretary General U Thant's report on chemical and bacteriological (biological) weapons and the effects of their possible use. pp. H5688-713

20. CIGARETTE ADVERTISING. Rep. Moss inserted a Calif. Senate resolution which would prohibit cigarette advertising in Calif. pp. H5714-6

21. EXTENSION SERVICE. Rep. Horton commended cooperative extension services and inserted letters from two home economists describing programs. pp. H5719-20

22. FOREIGN AID. Rep. Morse inserted comments of Deputy Asst. Secretary of State for Latin America Culbertson, "What We Have Learned In 20 Years of Technical Assistance." pp. H5720-2

developing the plans and capabilities to administer the large amounts of funds which the act envisions. Therefore, the committee recommended separate authorizations for each of the commissions. I hope that one of the important effects of this decision will be an increased independence of the commissions from the Department of Commerce.

I congratulate the Senate for its recognition of the pressing economic problems faced by these five regions. The increased assistance provided in the legislation passed today will pay its own way by developing in these five regions the self-sufficiency and imagination which can eliminate hoplessness and despair.

DISASTER RELIEF ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 271, S. 1685.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1685) to provide additional assistance for areas suffering a major disaster.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application *for a* loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

GRANTS TO STATES FOR DISASTER PLANNING

SEC. 4. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territories.

(b) From the sums available for the purposes of this section, the President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring to participate in this program shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section.

(e) Upon the submission of such plans the President shall, not later than June 30, 1971, report and recommend to the Congress a program for implementation and funding of the State comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

FOOD STAMP PROGRAM

SEC. 6. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in major disaster situations.

ASSISTANCE TO INDIVIDUALS

SEC. 7. The President is authorized to provide to individuals unemployed as a result of a major disaster, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

CLEARANCE OF LAKE CONTAMINATION

SEC. 8. The President is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

FIRE CONTROL

SEC. 9. The President is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

DEBRIS REMOVAL

SEC. 10. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of a major disaster which has created conditions hazardous to health and safety.

TIMBER SALE CONTRACTS

SEC. 11. (a) Notwithstanding provisions of contracts entered into prior to July 1, 1965, the Secretary of the Interior and the Secretary of Agriculture shall, as part of the regular road and trail construction program administered by each such Secretary, reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by each such Secretary as incurred or to be incurred for restoring roads in any stage of construction, authorized by a contract for the purchase of timber from lands under such Secretary's jurisdiction, to substantially the same condition as existed prior to a major disaster, and to the extent costs determined by such Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to a major disaster but which, because of changed conditions resulting from such disaster, exceed road construction costs as originally determined by such Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to a major disaster, whether construction was

complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (A) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (B) in the case of any road construction if the increase in the cost of such construction as the result of a major disaster is less than $500 more than the construction costs as originally determined by such Secretary.

(b) Where either such Secretary determines that damages resulting from a major disaster are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by this subsection, he may allow the cancellation of any such contract notwithstanding provisions therein.

EFFECTIVE DATE

SEC. 12. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

Mr. BAYH. Mr. President, I am pleased that the Senate is about to consider S. 1685, my bill to provide additional assistance for areas suffering a major disaster. This bill is the culmination of several years work by a large group of Senators who in 1965 began working toward major revisions in national disaster relief legislation.

As a result of previous efforts, Congress enacted Public Law 89–769 in 1966. The present measure proposes to extend help to disaster victims in a number of other areas. Anyone who has witnessed the terrible consequence wrought by tornadoes, floods, hurricanes, earthquakes, and forest fires knows the devastating effects they often have on the homes, businesses and lives of our people.

Even though man cannot avoid or control such unpredictable acts of nature, much can be done to help in the reconstruction and adjustments made necessary by major disasters. Most individuals are not able to cope adequately with the heavy losses often incurred during such catastrophes. It seems to me and the other 27 Senators who have joined in sponsoring this bill, as well as the Public Works Committee, that the Federal Government should assume a larger role in helping those who have, through no fault of their own, become victims of a major disaster.

The bill would authorize Small Business Administration loans of limited amounts to be made without regard to the availability of financial assistance from private sources. It would also authorize increased shelter, free food stamps, and aid to unemployed who have suffered losses in major disasters. Aid could be extended by the President to the States for assistance in clearing debris left by major disasters in lakes or on private property which might be hazardous to health and safety. Also, the President could make grants to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters. Finally, States would be encouraged to formulate comprehensive plans and programs to assist individuals suffering losses as a result of a major disaster. States would be expected to submit a disaster relief plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the State plans.

Mr. President, the Disaster Relief Act of 1969 is designed to help Americans who have experienced the holocaust of a major disaster to reestablish their homes and businesses and to restore their normal lives insofar as it is possible to do so. I urge the Senate to act favorably on this measure.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–280), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

The purpose of S. 1685, as reported by the Committee on Public Works, is to provide emergency relief and temporary assistance to private citizens who suffer losses and privation as a result of a major disaster. This broadening and enlargement of existing statutory provisions is a necessary and logical sequence to the great emphasis which has heretofore been placed on assistance to local and State governments for the replacement of public facilities. Major disasters, when they occur, also wreak serious harm to private individuals and deprive them of the ability to provide themselves with the basic necessities of life—food, clothing, and shelter. Without emergency assistance to enable people so stripped of the means for survival to reestablish their place in the community within a reasonable time and under satisfactory conditions, the entire community will be seriously impeded in its recovery from the impact of a major disaster.

The Committee on Public Works recognizes the need for effective State advance planning and direct involvement in meeting major disasters and in preparing to coordinate and organize assistance for individuals and communities. In addition, Federal assistance to States in protecting public health and safety must also be provided through help in clearance of debris from lakes contaminated as a result of major disaster and private property on which debris has been deposited by such disasters.

During the hearings on S. 993, the committee was made aware of the need for relief to certain timber sale contractors in California whose ability to meet the terms of their contract with the Federal Government was seriously impaired as a result of the flooding which took place in December 1968 and January and February 1969. The committee is further aware that similar situations could occur elsewhere in the country.

THE NEED FOR ADDITIONAL DISASTER RELIEF LEGISLATION

In 1964 and 1965, the Nation experienced a series of devastating and widespread major disasters—hurricanes, floods, tornadoes, earthquakes, and so forth. The customary practice of enacting special measures granting relief for specific stricken areas proved totally inadequate. Evidence presented to the Congress indicated that Federal law did not provide sufficient authority to cope with catastrophes as they occur. The specific disaster-by-disaster legislation approach was uncertain and characterized by great delay and much variation in treatment of the different stricken areas.

Investigation disclosed further that, while fairly adequate help for damages incurred by governmental agencies and operations had been authorized by national disaster legislation, comparatively little basic assistance had been made available to private individuals. Although acts providing special relief for citizens had been adopted from time to time, such as those following the Alaskan earthquake or the Northwest floods, there was no permanent legislation authorizing immediate and comprehensive Federal assistance to help restore to normal life private victims who had suffered extensive losses to their homes and livelihoods. Moreover, it seemed wasteful, unsystematic, and inexpedient for Congress to consider separate new relief bills each time a major disaster took place.

LEGISLATIVE BACKGROUND

In an attempt to rectify this deficiency, more than 40 Senators joined on April 30, 1965, in introducing S. 1861, a bill proposing several major revisions in the basic disaster relief law. After hearings were held and certain modifications made, this committee on July 15 without dissent reported S. 1861 favorably, and it was adopted unanimously by the Senate one week later. Hearings were held during the following year by the House Public Works Committee and an amended version of the bill, which deleted several important sections, was passed by the House of Representatives on October 17, 1966. Because of the impending congressional adjournment, the Senate concurred in these amendments the next day, and the bill was signed by the President on November 6, 1966.

The new act (Public Law 89–769) retained, with some minor changes in language, most of the provisions of S. 1861 which dealt with the problems of loan adjustments, disaster warnings, assistance to unincorporated communities, restoration of public facilities, and non-duplication of benefits. An excellent new section was added by the House of Representatives which provided aid for higher educational facilities damaged in major disaster areas. Other new sections authorized an extension in time for fulfilling requirements in certain public land matters and directed the President to plan and coordinate, through the Office of Emergency Planning, all major disaster assistance. The act also ordered a study to be made of additional or improved air operational facilities needed to prevent or minimize losses from grass or forest fires.

Several significant provisions of the original bill, however, were not included in Public Law 89–769. Provisions for disaster loans to both homeowners and business concerns, without regard to whether or not the required financial assistance might be provided by private sources, were eliminated. A proposed new cost-sharing program, which invited States to develop comprehensive disaster relief plans eligible for Federal grants up to 50 percent of the losses sustained in major disasters, with the State governments and individual owners each assuming 25 percent of the cost, was deleted. Similarly, a section providing for shelters for victims whose homes have been made uninhabitable by a major disaster was not enacted.

The need for the provisions deleted from the original bill were of sufficient significance to warrant further consideration. Accordingly, on January 17, 1967, S. 438 was introduced.

Hearings on S. 438 were held in Dunlap, Ind., the site of great destruction during the 1965 Palm Sunday tornadoes, and in Washington, D.C. The field hearings brought forth testimony from officials and residents of disaster affected areas of Indiana, Illinois, and Michigan. These accounts emphasized the need for Federal legislation which would bring meaningful aid to affected individuals so that they could resume normal, productive lives as soon as possible.

S. 438 was reported by the Committee on Public Works on April 2, 1968, but no action on it as such was taken by the Senate.

CALIFORNIA FLOODS

In December 1968 and January and February 1969, the people of the State of California experienced extensive property loss and damage as a result of storms, floods, landslides, and high water. Hearings were held on April 1 and 3, 1969, on S. 993, a bill to provide assistance to the State of California. Most of the relief sought in that legislation is presently available under existing Federal law, as a result of the enactment of Public Law 89–769. The Committee on Public Works, however, was once again impressed with the need for generally available Federal emergency assistance for individuals who have lost the ability to provide food, clothing, and shelter for themselves as a result of disaster and who, as a result of the severe flooding of croplands and orchards, are unable to find employment.

On March 26, 1969, 27 Senators cosponsored S. 1685 which provides the vehicle for achieving a proper level of temporary emergency assistance to such individuals and calls on the States to establish coordinated and comprehensive plans and programs for assisting individuals who suffer loss as a result of major disasters.

EXPLANATION OF THE PROVISIONS OF S. 1685

S. 1685 contains nine operative sections which provide: Federal loan adjustments, grants to States for disaster planning, shelter for disaster victims, food stamp program, assistance to unemployed individuals, clearance of lake contamination, fire control, debris removal, and timber sale contracts.

Federal loan adjustments

Section 3 authorizes the Small Business Administration to make loans to homeowners in an amount not to exceed $30,000 and to business concerns not to exceed $100,000, without regard to availability of financial assistance from private sources.

The comparable provision relating to the consolidated farmer's home loan program is statutorily designed as a loan program of the "last resort." As presently set up, the farmers home program has only limited funding authority.

The language relating to the change in the interest rate contained in an amendment to S. 993 and considered by the committee has not been reported since legislation of this type is pending before the Committee on Banking and Currency which has basic jurisdiction with respect to the Small Business Administration. An adjustment in interest rates, and a similar one in the consolidated farmers home loan program, are desirable. The committees with legislative jurisdiction may well wish to consider such changes in the law.

The language of section 3 obviates the need to take into consideration the availability of financial assistance to homeowners and businesses which might otherwise be available from private sources; it confirms the more liberal attitude to disaster loans which current regulations of the Small Business Administration appear to have adopted.

State disaster planning

Section 4 of the bill is a redraft of the language originally contained in S. 1681 of the 89th Congress, relating to a Federal-State grant program for assistance to homeowners and businesses. The new language would authorize assistance to States for disaster planning; it would limit Federal financial participation in such planning to not more than $250,000 for any State; it would require the designation or creation of a State agency to carry out the planning; and it requires that plans be submitted to the President no later than December 31, 1970.

Section 4 requires the President to report, not later than June 30, 1971, to the Congress recommendations resulting from the State submissions in order to carry out a Federal-State disaster operation. In addition, the President could also make recommendations relative to the overall Federal role.

It is hoped, as a result of such comprehensive plans and practicable programs, that an effective State disaster relief program could be developed which would eliminate the need for further Federal legislation in cases of disaster emergencies.

Shelter for disaster victims

Section 5 is one of three amendments to the existing Federal disaster emergency framework which will insure that families and individuals who lose their dwellings as a result of rampages of nature will be able to secure suitable accommodations without draining all of their economic resources. This section, together with sections 6 and 7, is designed to enable families and individuals to regain their place in the community. These sections are not intended to provide unlimited Federal support but would enable those who suffer the impact of natural disasters to recover as rapidly as possible.

Food stamp program

Section 6. Often in the aftermath of floods, hurricanes, and tornadoes, low-income households are unable to supply themselves with food. The Congress recognized this in the basic Disaster Relief Act of 1950, Public Law 875, when it provided authorization to make surplus commodities available. The provisions of section 6 or S. 1685 are designed to pull together all aspects of Federal law which bear on emergency food assistance to individuals. A food stamp program is a necessary element in this emergency relief program, and, while the Committee on Public Works has no intention of amending or otherwise changing the basic provisions of that legislation, it believes that, where applicable, the President should have the authority through the Department of Agriculture to make such relief available on an emergency basis.

Assistance to unemployed individuals

Section 7 recognizes that while public unemployment compensation programs and private income protection programs are available to a large number of workers and businessmen, there is a significant number of migratory workers who, when disaster strikes, lose everything, including the opportunity to work. Senator Alan Cranston of California, in an appearance before the Committee on Public Works, stressed the difficult situation of migratory farm labor in California following the winter rains and floods. This provision attempts to fill the gap in Federal authority by bringing aid to those who are unemployed, as a result of a major disaster. Such assistance would be in the form of unemployment compensation in the nature both of a temporary income supplement and, especially, of employment services designed to provide gainful and productive employment as rapidly as possible. This provision is made necessary by the fact that public assistance funds in an area overwhelmed by a major disaster are almost immediately depleted, and neither the local nor the State government is capable of meeting the problem.

Public health and safety

Section 8, clearance of lake contamination; section 9, fire control; and section 10, debris removal. These sections, in providing greater assistance to States to cope with these problems, recognize the need for State efforts to remove threats to the public health and safety.

Clearance of lake contamination

The need for the language in section 8 became apparent to the committee during the hearings in Dunlap, Ind. in 1967 when testimony revealed that food and other contaminating materials had been deposited in a number of small lakes making them unusable by the people of the area and presenting a threat to public health.

Fire control

Section 9 relating to fire control is a result of the study conducted by the Office of Emergency Preparedness pursuant to the requirements of section 13, Public Law 89–769, the Disaster Relief Act of 1966, which demonstrated the need for grants to States to assist in the suppression of forest or grassland fires which threaten to become a major conflagration, especially in the Western States.

Timber sale contracts

Section 11. Testimony received by the committee during its hearings on S. 993, the California Disaster Relief Act, brought to light that some timber sale contractors are seriously affected by the provisions of their contracts relating to the reconstruction of timber sale and timber roads. Following the Northwest floods of 1964, the Department of Agriculture adopted a new contract form which provides for relief to timber sale contractors whose operations are seriously affected by a major disaster. The language of section 11 would provide similar relief to those who entered into contracts prior to July 1, 1965.

Pending the development of the comprehensive State plan and the recommendations of the President with respect to such State plans and his review of existing Federal disaster relief, the provisions of S. 1685, if enacted, should result in a broad gauged and inclusive Federal program of action in emergency situations.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

DEPARTMENT OF STATE

The bill clerk proceeded to read sundry nominations in the Department of State.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of State be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

AMBASSADORS

The legislative clerk proceeded to read sundry nominations of Ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of Ambassadors be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. REPRESENTATIVE TO THE ORGANIZATION OF AMERICAN STATES

The bill clerk read the nomination of Joseph J. Jova, of Florida, to be the representative of the United States of America on the Council of the Organization of American States, with the rank of Ambassador.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ADVISORY COMMISSION ON INFORMATION

The bill clerk read the nomination of William F. Buckley, Jr., of Connecticut, to be a member of the U.S. Advisory Commission on Information for the term of 3 years expiring January 27, 1972.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The bill clerk read the nomination of W. Byron Sorrell, of Maryland, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Without objection, it is so ordered.

RELEASE OF CERTAIN LEAD FROM THE NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

The Senate resumed the consideration of the amendment of the House of Representatives to the bill (S. 1647) an act to authorize the release of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

Mr. SYMINGTON. Mr. President, on May 8, 1969, the Senate passed the bill S. 1647 which would authorize the disposal of 100,000 short tons of lead from the national stockpile and the supplemental stockpile.

This bill, as reported by the Senate Armed Services Committee, contained the traditional language of similar legislation in the past, authorizing the General Services Administration to dispose of surplus commodities by "negotiation or otherwise," thus allowing them some flexibility in adjusting their selling methods.

While the General Services Administration normally views competitive selling methods, including sealed bid sales, as the most effective means of carrying out the intent of the Stockpile Act—the said act requires that disposals be made without disruption of the market of producers, processors, and consumers—situations do arise when other sales procedures must be followed if GSA is to follow its legal mandate to avoid disruption of the market.

The proposed plan for disposal of the lead covered by this bill, developed by GSA after consultation and conferences with various segments of the industry and other Government agencies, provides that the quantity of lead covered by the legislation will be available for off-the-shelf sales to primary and secondary producers, importers of record, recognized distributors and dealers, and domestic consumers; and this at the producers' price, minus an allowance of up to one-half of 1 cent per pound in order to compensate for freight charges actually paid.

Transactions under this selling method for lead provide no profits to the producer, importer, distributor, or dealer. The lead will be sold for domestic consumption only. Consumers who purchase the lead will be required to certify that they will consume the lead in their own facilities within the United States. Producers, importers, distributors, and dealers will be required to certify that they will resell the lead for domestic consumption.

An example as to why the GSA needs the flexibility provided by the clause "negotiation or otherwise"—sometime ago a procedure was worked out with the aluminum industry to absorb into normal market channels over a period of years some million tons of aluminum. This, of course, was a negotiated matter. The alternative would have been for GSA to dump this commodity on the market, thus completely disrupting the market, or to dispose of it in small amounts as the consumer market permitted. The latter, of course, would have involved a tremendous administrative expense over a much longer period of years.

Now, Mr. President, when this measure was taken up for consideration by the Senate on May 8, 1969, an amendment proposed by the senior Senator from Delaware requiring the disposal of this lead to the highest responsible bidder was adopted without a dissenting vote. The House of Representatives, however, objected to this procedure, as they have in the past, and returned the bill to the Senate with an amendment which, in effect, deletes the Senate amendment.

It is my understanding that the House is adamant in their position. When appearing before the House committee, representatives of Government and industry testified they favored enactment of the original Senate bill which required disposal by negotiation or otherwise; they opposed the language contained in S. 1647 as referred to the House which requires disposal to the highest responsible bidder. These representatives indicated that disposal of lead to the highest responsible bidder would be disruptive to the ordinary marketing of this material, because it may upset the stable price structure of the material in the market and cause a decline in price; the highest bid might be less than the market price; it might upset the distribution pattern in the market and cause distribution and price changes; and it eliminates the flexibility General Services Administration would have in its method of sale.

Today, Mr. President, there is a shortage of lead. Lead is primarily used for such basic items as automobile batteries, antiknock components in gasoline, ammunition, paint pigments, insulation, and other products such as cable, solder, and pipe.

There is presently in the stockpile 1,171,000 short tons of lead, all of which is surplus to modern stockpile requirements. The stockpile objective is zero at present. Work interruption in the industry and at east and gulf ports affected both domestic and imported sources in 1968 and early 1969. The resulting tight supply generated two price increases in January 1969. The dock strike ended in mid-February but supply continued tight. Imports showed their first strong improvement in April. Producer inventories were still quite low in April and demand exceeded availability. The result was another price increase. Demand continued quite strong through June 1969, evidenced by a price increase on June 9, 1969, and still another within the past few days, bringing the price of lead currently to 15½ cents per pound.

There is currently a strong demand and thus an excellent time for the Government to dispose of some of its tremendous excess lead at a small gain. If this material is not made available for immediate offering, this opportunity might be, and I believe would be, missed since it is anticipated that the supply situation will improve over the next 6 months, in which case producers will be opposing disposal of any of this surplus lead that is owned by the taxpayers.

The average acquisition cost of lead in the stockpile was 14.4 cents per pound and with the current market price being 15½ cents per pound, the value of the lead to be disposed of is $31 million.

The sale of lead by advertising for sale to the highest responsible bidder is not likely to improve the return to the Government over the method proposed by the General Services Administration. While the demand for lead is great at this time, consumers are unlikely to offer the Government more than the published domestic price for excess lead. This material has been in outside storage for many years and at a minimum requires some cleaning and handling before it can be used in contrast to fresh, newly produced material which is delivered to them ready for immediate use.

In conclusion, Mr. President, I should like to state that I am not opposed to competitive bidding nor are the other members of the Armed Service Committee, but we do feel we should consider the existing circumstances and dispose of this lead at the time propitious to the Government and in a manner that will not cause a disruption to the market.

Mr. President, it is with those premises that I move that Senate concur in the House amendment.

The VICE PRESIDENT. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I agree with the Senator from Missouri to the extent that the Government should dispose of some of these materials, including lead as well as other commodities, that are surplus in the stockpiling program. However, I do not see why there is such an objection to selling the lead at a competitive bid so that the Government could realize the highest possible dollar in getting rid of it.

PROVIDING FOR CONSIDERATION OF H.R. 6508, CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, and in the absence of the gentleman from California (Mr. SISK), I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the Chairman and ranking member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH), pending which I yield myself such time as I may require.

(Mr. YOUNG asked and was given permission to revise and extend his remarks.)

Mr. YOUNG. Mr. Speaker, House Resolution 463 provides an open rule with 1 hour of general debate for consideration of H.R. 6508 to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

During the past winter and spring, the State of California suffered storm damage estimated to be in the amount of $265,000,000 in physical damage and $100,000,000 in private damage. Most of the State was declared a disaster area by the President.

H.R. 6508 authorizes $30 million to be available to California from the date of enactment of the bill to June 30, 1970, for repair and reconstruction of permanent street, road, and highway facilities not on Federal aid systems which were destroyed or damaged by the storms. Fifty percent participation by the State is required.

In 1965, under the Pacific Northwest Disaster Act, the Secretary of the Interior and the Secretary of Agriculture were authorized to reimburse timber sale contractors for reconstruction and restoration of roads under construction but not yet accepted by the Government as part of the national system of forest development roads and trails. Subsequently timber sale contracts were changed to recognize this problem. Basically this section of the bill would accomplish the same purpose by providing that the Federal Government would pay for repairing these timber roads under certain conditions:

First. If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

Second. If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

Third. If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Where it is determined that damage is so great, restoration is not practical under this cost-sharing arrangement, the Secretaries of Agriculture and the Interior are vested with discretionary authority to cancel a timber purchase contract.

Access to sources of timber supply from the national forests for the wood-using industries of the region has been disrupted or seriously impaired, thereby affecting regional economy. Therefore, the Secretary of Agriculture is authorized to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

The Secretary of the Interior is authorized to suspend the time limits established in certain public land laws where the entryman's ability to comply has been interfered with by the floods.

Language is repealed in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation for disaster relief under Public Law 81–875, as administered by the Office of Emergency Preparedness, should be reimbursed in full by OEP to the Bureau of Reclamation. This repeal would be permanent.

Regarding Small Business Administration disaster loans for loss or damage not compensated for by insurance or otherwise, at the borrower's option, on that part of a loan in excess of $500, SBA would be required to cancel up to $1,800 of interest, principal, or both. SBA also is authorized to defer any or all interest or principal payments during the first 3 years of the disaster loan, regardless of the borrower's ability to pay.

The same benefits would apply to Farmers Home Administration disaster loans.

Mr. Speaker, I urge the adoption of House Resolution 463 in order that H.R. 6508 may be considered.

I now yield to the gentleman from California (Mr. SMITH).

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this is the type of legislation where all of us have to be neighbors and help a State which is in trouble. We have these disasters every so often, in Alaska and other areas in the United States, and that is when we have to go to the help of our neighbors. I assume the State of Ohio, which just recently had a disaster there, may need help from us, and it may be we will have to help them. California is asking for your assistance in this matter.

Mr. Speaker, the purpose of the bill is to provide Federal assistance in several areas to meet the losses within the State of California caused by severe flooding in the early months of this year. During the months of January and February record floods occurred in the greater part of southern California. The estimated amount of storm damage at this time is approximately $365 million; this includes both damage to private property as well as public property such as levees, roads, and highways. More than 100 persons died as result of the flooding and most of the State's 58 counties have been declared disaster areas. The reported bill provides Federal assistance in several categories to meet the problems caused by the flooding.

Section 2 authorizes $30 million in Federal funding to be made available to the State for a period beginning with the enactment of this legislation and terminating on June 30, 1970. This money, to be used on a 50-percent matching basis with the State, is for the permanent repair and rebuilding of State roads and highway facilities that are not assisted under any current Federal highway aid program and which were destroyed or damaged as a result of the floods this past winter. The bill also provides assistance to reconstruct timber roads which are used to bring out timber cut for the commercial lumber market. This last provision is very similar to one contained in the 1965 Pacific Northwest Disaster Act and is included to assure a continued flow of lumber from the California forest areas. In areas where the sale of timber is less than 1 million board feet, the Government will assume road repair costs over $1,000, the contractor all costs below that figure. In areas where the sale was between 1 and 3 million board feet, Federal assistance would increase $1 per 1,000 board foot. Where the timber sale is over 3 million board feet, the Federal Government will assume all costs above $3,000 and the contractor will assume all costs below that figure.

Finally, any borrower of more than $500 under a Small Business loan will receive a cancellation of his obligation of up to $1,800 of interest or principal or a combination thereof on any loan covering property damaged or destroyed in the floods. Additionally, SBA is authorized to defer any or all interest or principal payment during the first 3 years of a disaster loan made as a result of these storms and flooding without

regard to the borrower's ability to meet his payments. All provisions of this section terminate on June 30, 1970.

There are no minority views expressed in the report.

Mr. Speaker, I strongly support this bill and urge adoption of the rule as well as passage of the bill.

I will say to the gentleman from Texas (Mr. YOUNG) that I do not have any requests for time, although I reserve the balance of my time.

(Mr. SISK (at the request of Mr. YOUNG) was granted permission to extend his remarks at this point in the RECORD.)

Mr. SISK. Mr. Speaker, I am confident that Members from the State of California representing metropolitan areas will adequately state the circumstances which necessitate the passage of this legislation from their standpoint. The losses suffered in southern California this past winter due to floods were sensational and well publicized.

Less dramatic, but nonetheless real, were the losses suffered in the San Joaquin Valley because the land is so flat in many places there is no place for the water to go and what drainage there is is on such a gentle scale that the water does not run off fast enough.

In one case in the city of Fresno, an adobe house literally melted to the ground because it became saturated after extensive rains and after standing a long period of time in ponds of rainwater that had no place to go. I might hasten to add, Mr. Speaker, that this was a house made of old-style adobe. The new adobe made these days in California has a hardener in it that prevents this kind of residential catastrophe from taking place.

In many other cases, runoff from the Sierra foothills backed up from the floor of the San Joaquin Valley into homes and business places in our cities.

Families on fixed or modest incomes and without sizeable financial reserves had no place to turn for help in meeting this financial crisis. They took scant comfort from the offers of the SBA to guarantee loans from commercial money lenders because the interest rates were too high for them to expect to pay off the loans during their lifetimes.

Farmers and owners of small businesses likewise found themselves with their backs against the wall and had no place to turn.

For the past 6 months, after the rains stopped, the Army Corps of Engineers has found it necessary to run large quantities of water out of some of its flood control dams in an effort to provide additional storage capacity to hold the water expected from the melting snow this spring.

These large flows have soaked the ground along side the water courses and literally turned thousands of acres of lands owned by small farmers in the San Joaquin Valley into a sponge. These seepage losses, coupled with actual flooding due to levee breaks and the like, will place our already hard-pressed small growers in an extremely difficult financial situation and the passage of this bill is essential to provide them and additional financial resource to enable them to stay in business. If this kind of relief is not provided, many of them will lose their farms and they will be bought out at ruinous prices by the large corporate operators who come under such scathing criticism in these chambers from time to time.

I urge passage of this legislation to show the people of California that the Nation cares about them, just as California has demonstrated its concern for flood victims in other States by its support of other flood disaster relief measures which have been passed by Congress in years gone by.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOHN F. KENNEDY CENTER ACT AMENDMENTS

Mr. GRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11249) to amend the John F. Kennedy Center Act to authorize additional funds for such Center.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11249, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois (Mr. GRAY) will be recognized for 30 minutes, and the gentleman from New York (Mr. GROVER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Chairman, I yield myself 10 minutes.

(Mr. GRAY asked and was given permission to revise and extend his remarks.)

Mr. GRAY. Mr. Chairman, first, I want to say how sorry I am that our distinguished friend from Ohio (Mr. BOW) was stricken, and I know with that great Ohio spirit that he will come back fighting. We all wish him well.

Mr. Chairman, your House Committee on Public Works brings to you today an authorization bill that will allow the completion of this beautiful facility to be known as the John F. Kennedy Center for the Performing Arts, now 50 percent complete, on the banks of the Potomac here in our great Nation's Capital.

I first want to say that our committee deliberated long and hard before bringing out a piece of legislation that would require additional funding from the taxpayers during this period of tight fiscal policy. But I assure my friends of the Committee that if this building is to be completed, we must have this legislation. It is just that simple.

I would not impugn the integrity or motives of any Member of this body, but during my entire 15 years of service here in the House of Representatives I have never seen a bill more maligned than by the previous speakers, as to what this legislation would do if adopted.

Mr. Chairman, all of the previous speakers who spoke under the rule were talking about the Cultural Center Act of 1958. Many Members of the House will recall that after the late President Kennedy was killed in 1963 this House, by an overwhelming vote, changed the act in 1964 and passed a law stating that for every private dollar contributed to build this Center, we would have $1 of direct appropriations.

Mr. Chairman, up to date the Congress has appropriated $15.5 million to build this facility that is going to cost $66 million.

Listen to these figures if you will: $15.5 million has been appropriated by the Congress to date. During this period people who have been involved with this project like Mr. Stevens, people who have worked for 11 years without one dime of compensation, have amassed the sum of $24 million in private contributions. That is approximately $8 million more than we have appropriated in Congress.

Mr. Chairman, all this bill proposes to do is to authorize an appropriation of $7.5 million in order to match the funds which have been contributed from the private sector. What is so wrong with that? Would it not be great if all of the facilities which have been built around this country could have been matched on a 50-50 basis. We are spending $300 million in this city today on public buildings, all of which are financed 100 percent by the taxpayers of this country. These buildings include the new FBI Building the Department of Labor Building and various others all over this city and all are being constructed at 100 percent cost to the taxpayers.

Now, Mr. Chairman, we are in effect saying we are not willing to match dollar for dollar in order that we may have a place for your constituents and for my constituents to come and perform in the various arts, to listen to lectures and to view movies and to develop the talents of our people and to undertake to truly portray the beauty of America, things for which our boys in Vietnam are fighting.

That is what this Center is for. Too many people are saying "It is for the Kennedys." To many people are saying "This is a monument to the late and beloved President John F. Kennedy." It is. But I say it is more, Mr. Chairman. This structure is a $66 million structure to be used by the American people and by foreign visitors who will be coming here to display their talents. And we ought to be here today being proud of the great Center that is being built on the banks of the Potomac River. We ought to be here today approving a partnership arrangement where people are willing to dig into their pockets to the tune of $24 million already, spending their hard-earned money to provide a facility for all Americans.

What would a "yea" vote give us today? A "yea" vote is a $7.5 million authorization that will insure absolutely and

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
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CONTENTS

Appropriations.....1
Census.....21
Clean water.....16,24
Conservation.....15,27
Credit.....38
Daylight time.....5,35
Disaster relief.....3
Economics.....26
Education.....4,22
Employment.....23
Environmental quality.....10,24,36
Expenditures.....1,25
Farm subsidies.....19
Fees and charges.....34
Flood control.....1
Food stamps.....33
Foreign trade.....30
Forestry.....27
Health benefits.....37
Inflation.....7
Job corps.....11
Lands.....20
Loans.....38
Mink imports.....30
National parks.....14,27
Packers and stockyards.28
Personnel.....37
Personnel ceiling.....1
Pesticides.....9,12
Pollution.....16,24
Population.....18
Quarantine station.....8
Recreation.....14,34
Regional development....13
Supplemental appropriations.....1
Taxation.....6,25
Timber supply.....27
Time.....5,35
Tobacco.....17
Transportation.....31
Water resources.....2,29
Youth conservation program.....11

HIGHLIGHTS: Both Houses agreed to conference report on second supplemental appropriation bill. Senate committee reported environmental quality policy bill. House passed Calif. disaster relief bill.

HOUSE

1. APPROPRIATIONS. The Senate received and both Houses agreed to the conference report on H. R. 11400, the second supplemental appropriation bill for 1969, and acted on amendments in disagreement. This bill will now be sent to the President. pp. H5733-48, S7786-802

On amendments in disagreement concerning this Department the House concurred in the Senate amendment providing $4,000,000 for Soil Conservation Service for flood prevention, and the Senate amendment repealing the personnel limitation of the Revenue and Expenditure Control Act of 1968 (pp. H5743-44). Both Houses agreed to a conference substitute amendment which would impose an overall ceiling on expenditures and net lending during fiscal year 1970, the initial ceiling in the provision being $191,900,000,000 (pp. H5744-48, S7794).

The Appropriations committee was granted until Thur., July 10 to file a report on the Dept. of Interior and related agencies appropriation bill. p. H5732

2. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendment S. 574, to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (S. Rept. 91-358). p. H5798

The Interior and Insular Affairs Committee reported without amendment S. 38, to consent to the upper Niobrara River compact between Wyo. and Nebr. (S. Rept. 91-359). p. H5798

3. DISASTER RELIEF. Passed as reported H. R. 6508, to provide assistance to Calif. for the reconstruction of areas damaged by recent storms, floods, and high waters (pp. H5749-57). (See Digest 109 for provisions of the bill as reported.)

4. EDUCATION. The Science and Astronautics Committee voted to report (but did not actually report) H. R. 11542, to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities. p. D604

5. DAYLIGHT TIME. Rep. Miller, Calif., commended a publication which recognizes "the rewards of space research that have become a part of our everyday life." pp. H5760-1

6. TAXATION. Rep. Rucinski suggested that the Senate "move on the surtax and leave tax reform as a separate item." p. H5766

7. INFLATION. Rep. Reuss stated that the war against inflation should be fought by using the credit and cost-push policy as well as the fiscal and monetary policy. pp. H5790-1

8. QUARANTINE STATION. Rep. Purcell announced his intention to schedule hearings on a bill to establish an international livestock quarantine station "as soon as" USDA "can obtain clearance from the Bureau of the Budget to present its views." p. H5792

corded as absent. I was present and answered to my name. I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6508, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama (Mr. JONES) will be recognized for 30 minutes, and the gentleman from California (Mr. DON H. CLAUSEN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I might consume.

The CHAIRMAN. The gentleman is recognized for such time as he may require.

Mr. JONES of Alabama. Mr. Chairman, H.R. 6508, the California Disaster Relief Act of 1969, the bill before this body today, was reported unanimously by the Committee on Public Works. It follows the pattern of similar legislation reported by this committee over the years. The most recent legislative acts were the Pacific Northwest Disaster Relief Act of 1965 and the Hurricane Betsy bill which assisted the States of Florida, Louisiana, and Mississippi to recover from the damage inflicted by that hurricane in 1965.

California was hit by violent storms and flooding in January and February of this year, and further runoffs by the usually heavy snowpack have affected areas of the State almost up to the present day. The best estimate of the physical damage suffered throughout the State at this particular time is roughly $265 million.

All but six of the 58 counties of the State have been covered by the proclamation of emergency of the Governor of California. In addition, most of the State was declared a major disaster area by the President and all available measures of local, State, and Federal Governments went to work to provide immediate relief and subsequent rehabilitation. Even with all this assistance which has been provided to the State, certain further basic help is required to restore many areas of California to their full capabilities. This is the reason for the legislation before you today.

In keeping with the longstanding policy of the Committee on Public Works, when the extent of the damage was reported and made known to the Congress of the United States, the chairman of the Committee on Public Works, the Honorable GEORGE H. FALLON, of Maryland, as he has done on many previous occasions for other areas of the country, sent a special subcommittee to California to make a firsthand inspection of the devastated areas and to hear testimony from those people who were affected by the damage. This testimony was heard not only from the State and local officials of California but from many private citizens. The subcommittee in its swing through the State held hearings in Sacramento, Madera, Los Angeles, and Santa Barbara and made a firsthand inspection of the damage on the scene.

Further hearings were held by the committee in Washington, and as a result of these hearings, combined with the hearings held in California, the bill before you today was ordered reported.

I would like to particularly commend the work of the members from California who are on the Public Works Committee. They are Congressman HAROLD "BIZZ" JOHNSON, Congressman GLENN ANDERSON, and Congressman DON CLAUSEN. They worked diligently throughout the committee trip to California and at the hearings in Washington.

The California Disaster Relief Act has been given careful thought and follows the format of previous legislation reported by the committee. It provides assistance in areas where relief cannot normally be given under existing Federal regulations and statutes. This includes permanent highway repairs on a 50–50 State-Federal matching basis, necessary modification, changes, and help for construction and regulations covering one of the vital industries of California—the timber industry—and a modification and a waiver of the rules of the Small Business Administration and the Farmers Home Administration to provide relief to the average citizen who has been so hard hit by these storms.

I believe I would be remiss at this particular time in my opening comments if I did not take the opportunity to point out to this body the record which has been made over the years by the public works projects constructed by the Corps of Engineers which have been built in the State of California.

Completed or useful projects of the Corps of Engineers, constructed at a total Federal cost of $872 million, prevented far greater damages which would have otherwise occurred. Estimates have been made that these prevented damages would, if they had occurred, cost about $1,600,165,000.

I believe this record speaks for itself. It proves once again, as has been shown many, many times in the past, the value of and the need for proper flood control activity. Here is the record:

Flood protection information, Corps of Engineers projects—California (winter of 1968–69 and spring of 1969)

Damages prevented	$1,600,065,000
Damages preventable (had authorized projects been completed)	30,059,000
8 projects under construction	16,620,000
6 projects authorized not started	13,439,000
Total Federal expenditures in construction of corps projects in California	872,000,000
Projects with major savings:	
Los Angeles County drainage area project	1,112,500,000
Prado Reservoir	335,000,000

Damages prevented in project area by completed and partially completed projects—Project-by-project breakdown

Alameda Creek	$450,000
Bear Creek	200,000
Corte Madera Creek	25,000
Los Angeles County drainage area	1,112,500,000
Pine Flat Reservoir	4,250,000
Russian River Basin (Coyote Dam)	1,090,000
Sacramento River and major and minor tributaries	3,000,000
Black Butte Reservoir	200,000
Folsom Dam and American River Levees	5,000,000
New Hogan Reservoir	2,000,000
Mormon Slough	500,000
Farmington Reservoir	900,000
Merced County stream group	2,900,000
Big Dry Creek Reservoir	5,000,000
Pine Flat Reservoir	5,000,000
Terminus Reservoir	8,000,000
Success Reservoir	3,000,000
Isabella Reservoir	1,000,000
San Joaquin River Levees	4,400,000
Middle Creek	500,000
Sacramento River flood control project	12,000,000
Sacramento River, Chico Landing to Red Bluff	200,000
Sacramento River (bank protection)	300,000
Camanche Reservoir (partnership)	100,000
New Exchange Reservoir (partnership)	1,700,000
Oroville Reservoir (partnership)	500,000
Tuolumne River Reservoirs (partnership)	500,000
Prado Reservoir	335,000,000
City Creek channel	1,500,000
Riverside levees	2,150,000
Santa Clara River levees	52,000,000
Santa Maria River levees	2,200,000
Ventura River levees	2,500,000
San Antonio and Chino Creeks and San Antonio Reservoir	21,000,000
Fullerton Reservoir	50,000
Carbon Canyon Reservoir	4,000,000
Lytle and Cajon Creeks	300,000
Stewart Canyon debris basin	1,000,000
Devil, East Twin, Warm and Lytle Creeks	1,500,000
San Jacinto and Bautista Creeks	6,000,000
Total	1,600,165,000

The following projects under construction would have helped reduce the flood damage:

Damages preventable had project been completed	
Buchanan Reservoir	[1] $1,300,000
Hidden Reservoir	[1] 1,300,000
Dry Creek (Warm Springs) Reservoir	545,000
Mojave River Reservoir	8,175,000
New Don Pedro Reservoir (partnership)	2,200,000
New Melones Reservoir	2,200,000
Sacramento River and major and minor tributaries (additional if completed)	400,000
Sacramento River bank protection	500,000
Total	16,620,000

[1] Funding through fiscal year 1970 limited to R/E acquisition and planning.

The following projects not included in the fiscal year 1970 budget for initiation of planning or construction would have helped in reduction of January–February 1969 flood damages:

Damages preventable had project been completed	
Alhambra Creek	$40,000
Cucamonga Creek	12,250,000
Knights Valley Reservoir	100,000
Lytle and Warm Creeks	427,000
Santa Paula Creek	520,000
Tahquitz Creek	102,000
Total	13,439,000

The major provisions of the bill follow:

NEED FOR THE LEGISLATION

Section 1 of the reported bill is a statement of recognition by the Congress that the State of California has experienced extensive loss and damage as a result of storm, floods, and highwaters during the winter of 1968–69 and the spring of 1969, and that the Congress recognizes the need for special measures designed to aid and accelerate the State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

HIGHWAY REPAIRS

Section 2 authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–69, and the spring of 1969. The section requires 50 percent participation by the State.

SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

In the Pacific Northwest Disaster Act of 1965, Congress authorized the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not yet been accepted by the Government as part of the national system of forest development roads and trails at the time of that disaster.

Subsequent to the passage of the Pacific Northwest Disaster Act, timber sale contracts were changed to recognize this problem. This provision of the bill would accomplish basically the same purpose; that is, to help timber operators reconstruct timber sale roads which have been damaged by this disaster. The new language is substantially identical to that which is now contained in the standard timber sale contract. There are 85 timber sale contracts without this language still in effect. There are 445 contracts with this language in them. This would put all timber sale purchasers on an equal footing.

Basically, section 3(a) would provide that the Federal Government would bear the cost of repairing these timber roads under certain conditions:

First. If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

Second. If the timber sale was between 1 and 3 million board feet, the figure would increase $1 per 1,000 board feet.

Third. If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) provides the Secretaries of Agriculture and Interior with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing arrangement.

REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the 1969 disastrous storms and floods in California has been the disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry, which, in turn, is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise these communities will face severe unemployment.

To help avert this condition, section 3(c) would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY OF PUBLIC LANDS

Section 4 of the bill grants to the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with by the floods and high waters.

BUREAU OF RECLAMATION OVERHEAD COSTS

Section 5 would repeal language included in the Public Works Appropriation Act for fiscal year 1967 which required that appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 as administered by the Office of Emergency Preparedness should be reimbursed in full by that Office to the Bureau of Reclamation. OEP interprets that provision as requiring that funds be on hand to reimburse the Bureau of Reclamation in full before disaster assistance may be provided, and the effect of this interpretation has been to preclude the use of the Bureau of Reclamation knowledge and abilities to relieve distress in disaster areas.

This language will place the Bureau of Reclamation on the same basis as the Corps of Engineers. Through enactment of this provision, the Office of Emergency Preparedness will be in a position to contract with whichever agency can more efficiently and effective and economically do the job.

SMALL BUSINESS ADMINISTRATION

Section 6 applies to SBA disaster loans for property loss or damage as a result of these storms, floods, and high waters to the extent that such loss or damage is not compensated for by insurance or otherwise. At the borrower's option, on that part of any loan in excess of $500, the SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof.

In addition the SBA would be authorized to defer any or all interest or principal payments during the first 3 years of the loan on a disaster loan made under the Small Business Act as a result of these storms, floods, and high waters, without regard to the borrower's ability to make these payments.

FARMERS HOME ADMINISTRATION

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

TERMINATION

Section 8 terminates the bill as of June 30, 1970, with the exception that the repeal of the provision of the Appropriations Act of 1967 is made permanent.

TITLE

Section 9 identifies the bill as the "California Disaster Relief Act of 1969."

Mr. Chairman, at this time I yield to the distinguished gentleman from California (Mr. JOHNSON) for the purpose of presenting further justification for the enactment of this legislation.

Mr. Chairman, I yield 7 minutes to the gentleman from California (Mr. JOHNSON).

Mr. FALLON. Mr. Chairman, will the gentlemen yield?

Mr. JOHNSON of California. I yield to the gentleman from Maryland (Mr. FALLON), the chairman of the full committee.

(Mr. FALLON asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 6508, the California Disaster Relief Act of 1969. This bill was reported unanimously by the Committee on Public Works. It is legislation which has been drafted by the committee after field hearings were held in California on the site of the disasters and in Washington.

It is similar in nature to the Pacific Northwest Relief Act of 1965 and the "Hurricane Betsy" legislation which aided our Southeastern States. Both bills were reported by the Committee on Public Works and enacted into law by this Congress. This bill gives additional and

needed help to the many flood stricken areas of California which were devastated by the winter and spring floods of this year. It provides specific relief in such areas as highway repairs, timber access construction operations, and a basic relief and a greater leaway in granting of aid from the Small Business Administration and the Farmers Home Administration to individuals who have suffered as a result of the disastrous floods in California.

This follows the pattern of previous legislation to provide help to those who need it most and restore one of our great States to full scale operation.

I recommend its passage.

(Mr. JOHNSON of California asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of California. Mr. Chairman, on behalf of myself and all the people of the State of California let me express my deep appreciation for the consideration which the House of Representatives Public Works Committee extended to the State of California during the crisis we faced this year when an extensive storm struck all areas of the State. Chairman GEORGE FALLON, the distinguished chairman of the full committee, authorized the Subcommittees on Flood Control and Rivers and Harbors to make a joint inspection of the damage. Subsequently, the Flood Control Subcommittee, under the leadership of Representative BOB JONES, held hearings here in Washington. The bill we have before you today is the result of this thoughtful consideration by this committee.

As you recall, we had a similar tragedy at Christmastime in 1964 affecting northern California and the States of Oregon and Washington. At that time, Congress enacted the Pacific Northwest Disaster Act of 1965 which proved to be a tremendous value in getting the States of the Pacific Northwest, including California, back on their feet in the wake of the storms. We are seeking the same type of assistance here today.

RAINFALL RECORDS

This has been an exceptionally wet year throughout the central and southern areas of California. During the normal rainy season, from October to March, most of the areas of central and southern California experienced precipitation up to 250 to 300 percent above normal. In some places, the rainfall was 400 percent above normal. Much of this fell after January 11 in a series of storms which began to bombard the State on that day. During 10 days in late January when the storms were at their peak, some southern California areas received as much as 40 inches of rain; that is an average of 4 inches a day for 10 consecutive days.

In the larger drainage areas of California the following average rainfalls were recorded for the month of January, and again virtually all of the January rainfall came in a 10-day period:

North coast drainage: January, 14.52 inches; normal, 7.73 inches.

Sacramento Valley drainage: January, 15.63 inches; normal, 6.80 inches.

Northeast interior drainage: January, 11.52 inches; normal, 3.43 inches.

Central coast drainage: January, 10.42 inches; normal, 4.14 inches.

San Joaquin drainage: January, 11.58 inches; normal, 3.61 inches.

South coast drainage: January, 12.83 inches; normal, 3.25 inches.

Southeastern desert drainage: 5.44 inches; normal, 1.36 inches.

Looking at Weather Burcau statistics, it is easier to pick out the days in late January and February when it did not rain. In our State capital, for instance, it did not rain from the 14th to the 17th of January, or the-28th of January. It did not rain on the 1st, 2d, and 3d of February, nor the 10th, 12th, or 13th, or the 16th, or the 20th through the 22d, or the 26th of February. That is 11 out of 49 days that there was no rain. On every other day from the 11th of January to the 1st of March, it rained. It not only rained, it poured. Similar records were recorded throughout the State. The mountains were covered with snowpacks well in excess of 30 feet in many areas—that is 30 feet, not inches.

DAMAGE ESTIMATES

In just a few days, the State of California suffered hundreds of millions of dollars of damage in spite of a major flood control program. It should be stressed that in this disaster alone, an estimated $1,230,000,000 in damage was prevented by existing flood control works constructed largely through the wisdom and foresight and leadership of the Congress. With a preliminary estimate of approximately $265 million damage from this one storm alone, you can see that the job is not yet completed and we must continue the timely program of the construction of our flood control programs. This, of course, is not part of the disaster relief bill we are considering today.

We are considering only the restoration of damage suffered in the January-February storms. I would like to touch briefly on this damage. There were more than one hundred deaths attributed to the storms. Physical property damaged was valued at approximately $265 million. This occurred in 40 of the State's 58 counties and was divided about equally between losses to public property and losses to private property. A substantial portion of this loss was to dikes, levees, and drainage facilities, restoration of which can be provided for under existing programs such as the Corps of Engineers' Public Law 99 authority or the Office of Emergency Preparedness' Public Law 875 authority.

ROADS NEED RESTORATION

As far as H.R. 6508 is concerned, the greatest need is for restoration of storm damaged highways, county roads and city streets. As you know, ours is a mobile society and without adequate transportation facilities, and especially highway routes, our economies collapse. Some $79 million worth of roads, streets, and highways were destroyed during the storms. Of this total $79 million in damage, less than half is eligible for Federal assistance under existing programs.

Reconstruction and restoration of roads under the Federal aid system pose little or no problem since there are adequate funds in the Federal Highway Administration emergency relief program to finance the rebuilding of these. This fund will cover less than $21 million worth of the total damage, however.

Nearly $14 million in road and street damage is eligible for restoration under Public Law 875 through the Office of Emergency Preparedness. The President has allocated $13 million for California disaster relief under Public Law 875, but this covers not only losses to roads and highways not on the federal system, but damages to all other public facilities including water and sewer systems, other utilities, public buildings, and some of the levees, dikes, and drainage facilities under local or state control.

You can see, therefore, that there is a tremendous deficiency which must be made up from State and Federal sources because the local governmental agencies which have jurisdiction over most of these roads and streets just do not have the financial resources to do this work. Helping eliminate this gap is one of the major objectives of the legislation that we have before you, H.R. 6508, sponsored by myself and 28 other members of the California delegation.

STATE COOPERATION

It must be emphasized, Mr. Chairman, that the State of California is doing everything within its power to restore these roads and streets. The motoring public of the Golden State now are paying 1 cent per gallon in extra gas tax in order to do its share in this massive job of rebuilding. The proposal we advance in H.R. 6508 provides Federal matching money for this purpose.

PRIVATE DAMAGES

Turning to the private sector, it is estimated that damage will approximate $100 million dollars; $55 million of it in the agricultural areas, $20 million to residential and commercial buildings, and $25 million to privately owned public utilities. The legislation we have before us strives to assist agriculture, private industry and the homeowner to recover from the disaster.

I would like to outline the provisions of H.R. 6508, as reported by the Public Works Committee, and discuss how the committee recommended that the Federal Government assist in this effort which is so necessary if the desperately hit areas are to recover. This legislation is very similar to that which was enacted following the Alaskan earthquakes, the Christmas 1964 floods in California and the Hurricane Betsy disaster.

SECTION 1—DECLARES DISASTER

Section 1 declares the existence of the disaster and the need for assistance due to the storms, floods, and high waters experienced throughout the State of California during the winter and spring.

SECTION 2—ROAD RESTORATION

Section 2 authorizes $30 million to be made available to the State of California for permanent repair and reconstruction of flood-damaged roads, streets and highways not on any Federal aid system and for which no emergency funds are avail-

able under any existing provisions of Federal Law.

Title 23 of the United States Code provides that the Federal Government can, through its emergency program, restore to Federal standards, roads, streets, and highways on the Federal aid system.

For roads not on Federal aid systems, the only disaster assistance available is through the Office of Emergency Preparedness and Public Law 875, which permits only emergency restoration of public facilities. This can be extremely limited in scope and can leave a tremendous amount of reconstruction left to be done if we are to rebuild our city streets, county roads and highways to acceptable standards.

Mr. Chairman, we are not talking about improving any roads. We are talking about reconstruction of damaged roads so they are permanently restored to safe levels.

The authorization would remain in effect until the end of this fiscal year and requires that any Federal money spent for this purpose be matched equally by the State of California. As I indicated earlier, this will be financed through a disaster fund raised by a 1-cent gas tax which already is in effect.

SECTION 3—TIMBER OPERATIONS

Section 3 relates primarily to the Forest Service and Bureau of Land Management lands. Basically, it would facilitate a resumption of timber operations by authorizing the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national forest road system prior to floods. Where the damage is too great to make completion worthwhile, the section would permit cancellation of the contracts.

These provisions are incorporated in all timber sale contracts entered into since mid-1965. Eighty-five contracts entered into before that time do not have this provision and it is to place these timber purchasers on the same footing as the vast majority that we seek this legislation. Similar provisions were included in Pacific Northwest Disaster Act of 1965. Our own experience in that disaster resulted in the current contract language.

This section also reduces from 30 to 7 days the minimum period of advertising on timber sales. The economies of these regions depend largely or entirely upon the timber industry, which in turn is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise communities dependent upon the timber industry will face the imminent prospect of mill shutdown and severe unemployment. To help avert this condition, this section would authorize a reduction in the advertising period for timber sales.

Mr. Chairman, I should emphasize that the provisions of section 3 are similar to those in the Pacific Northwest Disaster Act of 1965. These were tremendously successful in solving many of our problems in areas with timber-based economies, and I would hope that they could be reinstated for the current crisis.

SECTION 4—PUBLIC LAND ENTRY

Section 4 authorizes the Secretary of the Interior to grant additional time to persons who have filed but did not complete within prescribed time limits the requirements for entry under the various public land laws because of the floods and storms, including the snows. This is a provision incorporated in the 1965 Pacific Northwest Disaster Act and merely recognizes that people hit by storms of this intensity cannot meet their development schedules at the same pace as if they had not been damaged.

SECTION 5—BUREAU OF RECLAMATION

Mr. Chairman, section 5 seeks to correct a problem which was discovered during the field hearings. The Office of Emergency Preparedness found that it could not deal with the Bureau of Reclamation and the Corps of Engineers on an equal footing in contracting for emergency restoration work. The language of this section would correct this. The net result should be a savings to the Federal Government in that OEP would be able to contract with whichever agency can most effectively, efficiently, and, most important, economically do the job. This is the only provision of this act which would remain in effect after June 30, 1970.

SECTION 6—SMALL BUSINESS ADMINISTRATION

Section 6 relates to the Small Business Administration Disaster Act and provides for a forgiveness of $1,800 in interest or principal on any disaster loan and authorizes the deferment of all interest and principal payments for up to 3 years. This and section 7 are the only grant considerations given the private sector, and it is little enough considering the losses. It has precedent in the Hurricane Betsy Act.

SECTION 7—FARMERS HOME ADMINISTRATION

Section 7 provides for the $1,800 forgiveness for the Farmers Home Administration emergency loan programs plus the same 3-year deferment offered SBA borrowers. This is the same as was incorporated in the Hurricane Betsy Act.

SECTION 8—TERMINATION DATE

Section 8 terminates the effective date of the act as of June 30, 1970, except for making payments on expenditures and obligations and commitments already agreed to prior to that date. Mr. Chairman, let me emphasize that all the provisions which we have discussed here are directly related to the California disaster and with one exception, are not permanent legislation. The exception is that provision which I do suggest we incorporate in section 5 to allow the Bureau of Reclamation participate more effectively under Office of Emergency Preparedness, Public Law 875 programs.

SECTION 9—TITLE

Section 9 entitles the act the California Disaster Relief Act of 1969. Mr. Chairman, this has been a lengthy presentation, but I believed it necessary to provide a basis for our hearings.

H.R. 6508 and H.R. 6509 were introduced by me and 28 of my California colleagues February 6, 1969, even as the flood and storm damage was mounting.

The legislation as reported to the House of Representatives by the Public Works Committee reflects some changes and modifications which have been made as a result of the field hearings and the Washington hearings held by the subcommittee under the able direction of its outstanding chairman, my good friend and colleague, BOB JONES, and during the full committee consideration under the guidance of Congressman FALLON. Both of these chairmen are extremely knowledgeable in the field of disaster relief and I want to express publicly the deep appreciation of the people of the State of California for their personal guidance and assistance in this hour of need.

I am confident that the language we bring before you today will meet with the approval of all on both sides of the aisle and in the legislative and executive branches of Government.

Accordingly, I urge the approval of this act.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield myself such time as I may consume.

(Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE

Mr. DON H. CLAUSEN. Mr. Chairman, I ask unanimous consent that all Members may have the opportunity to revise and extend their remarks on the bill, H.R. 6508.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, this past fall and winter the Nation witnessed, once again, the terrible and awe-inspiring devastation of nature on the rampage. And, once again, it was my home State of California that was struck.

As with past disasters of this kind, we have once again realized that past legislation enacted by the Congress to protect Americans from these annually recurring natural disasters is not completely adequate to provide the kind of relief that is necessary and essential from the damage brought about by this latest disaster.

As they have so often in the past, my colleagues here in Congress have risen to the challenge and joined with Members from California in lending not only their sympathy, but their aid and their valuable knowledge of emergency legislation to prepare H.R. 6508, The California Disaster Relief Act of 1969, which is now before you.

This legislation recognizes that the greatest need in California is for restoration of storm-damaged highways, county roads, and city streets. With a mobile society, such as California has, our basic economies are threatened with virtual collapse without adequate transportation access and facilities. Estimates received from State highway officials, indicate that some $79 million worth of roads, highways, and streets were destroyed during the fall and winter storms.

Permit me, at this point, to briefly paraphrase what this bill contains and what it will cost for the benefit of my colleagues:

Section 1 of the bill recognizes and authorizes total storm damage in the amount of $265 million; $165 million for damage to public facilities and $100 million for damage to private property.

Section 2, and most important, authorizes $30 million for permanent repair and reconstruction of flood damaged streets, roads, and highways not on any Federal aid system. This section also requires 50 percent matching funds from the State of California for this purpose.

Section 3 of the bill authorizes $150,000 for the Bureau of Land Management and the Forest Service to reimburse timber purchasers for reconstruction of storm damaged forest access roads which were constructed as part of timber sales contracts, but not yet accepted by the Federal Govermnent.

Sections 4 and 5 are primarily administrative in nature and involve no costs to the United States. The first, section 4, authorizes additional time for public land entrymen to meet the legal requirements for entry provided they were otherwise unable to do so because of storms. Section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting for reconstruction work with the Office of Emergency Planning.

Section 6 of this legislation waives up to $1,800 indebtedness for Small Business Administration disaster loan borrowers and further authorizes deferments of all interest and principal payments for 3 years at a cost of $1,650,000.

Section 7 extends to FHA borrowers the same benefits extended to SBA borrowers in section 6 at a cost of $4,626,000.

Sections 8 and 9 identify and terminate the California Disaster Relief Act as of June 30, 1970.

This legislation, Mr. Chairman, is not all that Congress intends to do with regard to disaster relief. By way of example, I have introduced, and the committee passed, a resolution to our Flood Control Subcommittee of the Committee on Public Works that would authorize and direct the Secretaries of the Army and Agriculture to make a joint investigation and survey of the San Gabriel River Basin in California. This is the basin that includes the community of Glendora which was nearly inundated by slides of mud and debris.

Subsequently, the Secretaries are to prepare a joint report on such findings as they may conclude and forward their report to the Congress with recommendations for installing works needed to provide necessary flood prevention and control. This resolution was adopted on May 6 of this year.

My purpose in relating this is to illustrate that the legislation now under consideration, while it answers the immediate disaster relief needs of California, is just the first step toward the elimination of the causes of flood and storm damage that might occur in the future under the same or similar circumstances.

I want to make one point absolutely clear here today. In my judgment, the best type of disaster relief is disaster prevention.

At this point, Mr. Chairman, I want to bring to the attention of the Congress and the executive branch the absolute essentiality of applying higher priorities to flood control and prevention in our overall budgetary considerations. Further, I strongly suggest that we reshape our thinking in this regard because protection from and prevention of flood and storm damage should and, in my judgment, must be regarded as an investment—an investment in America, if you will.

The total investment of $900 million for protective works thus far in place in California has saved some $1.2 to $1.6 billion, and thus, more than paid for itself when you consider the total damage that could have taken place last fall and winter had these works not been in place.

While the most extensive damage caused by this flood experience was in southern California, a comparable and potentially devastating threat existed, particularly in my own congressional district on the north coast of California which bore the brunt of the 1964 disaster. This was also the case this year as the threat of still further devastation existed in southern Oregon and northern California where the Sierra snowpack reached a critical stage this year limiting access to forest lands and posing an ominous threat in the lowlands.

Mr. Chairman, while the legislation now before us is desperately needed, we have witnessed once again that we are dealing with an after-the-fact situation. Much of this disaster-relief-type legislation, I submit, could and would be avoided through an orderly program of finance and fiscal priority that recognizes protective and preventive works in the true light of the potential threat it poses to all Americans.

As our astronauts have so clearly proven, most of the land mass that comprises these United States, is largely a flood plain and, therefore, it is only logical and reasonable that we in the Congress should guarantee security against this potential threat. We can, I believe, redirect our national resources toward the protection of American lives and property—rather than their destruction.

In closing, I want to commend and thank the distinguished members of the Committee on Public Works who have worked so hard to produce this California Disaster Relief Act of 1969. I should also like to thank the many Californians from all walks of life who took the time and made the effort to appear before our committee while it was inspecting the flood and storm damage in California to express their views and their recommendations for the alleviation of the disasterous situation in which they suddenly found themselves.

And, I cannot close without expressing my sincere appreciation to the staff of our committee; all of whom spent many long, weary hours in the preparation of H.R. 6508.

And finally, Mr. Chairman, I strongly and enthusiastically urge each of my distinguished colleagues here in the House to support this legislation, thereby extending a much needed vote of confidence to the people of California who have contributed so much to our country and who, in the past, have asked so little in return.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I shall be glad to yield to the distinguished gentleman from California, who has been very helpful in furnishing information with respect to the problems in the Santa Barbara area.

Mr. TEAGUE of California. I thank the gentleman very much, and I would like to express my appreciation to each of my colleagues from California, to Mr. JOHNSON and Mr. CLAUSEN and, of course, to all of the members of the Committee on Public Works for the splendid job they have done on this legislation, of which I happen to be one of the sponsors.

Mr. Chairman, this is clearly an emergency situation. Those of you from other sections of the country might be interested in knowing that in my own congressional district we had as much as 60 inches of rain in 10 days, which would be the normal amount of rainfall in 3 or 4 years. As a result of this we had damages estimated at between $40 million, $50 million, or even $60 million in my own congressional district alone.

These people certainly do not expect the Federal Government to take care of all this damage. Local government and private enterprise have done the major job. But this additional provision of assistance from the Federal Government is certainly justified.

My home district was one of those ravaged by the recent storms and floods, and I know only too well the urgency of this legislation. In my district alone, hundreds of acres of farmland were lost, hundreds of homes ruined by debris from the flood, many public facilities—bridges, railroads, waterlines—were disrupted, and human lives greatly endangered. All direct access to Vandenberg Air Force Base, the Nation's largest missile base, was severed.

Similar damage was and and is widespread around the State. Total damage for the storms is estimated at $265 million. In the January floods alone, 92 people were killed and more than 10,000 left homeless. The final toll in lives and property is shocking and tragic.

This legislation is an essential supplement to the current relief efforts of the Federal Government and the U.S. Army Corps of Engineers. Despite these efforts, much of the damage remains almost as it was after the storms. It is estimated that damage to city streets, country roads, and Federal highways exceeds $38 million. Less than half of this total is covered by State or Federal aid programs. Another critical need is for assistance to low-income householders who could not rehabilitate their property without the loans that this legislation makes available. The damage in California is simply too extensive for the available resources—local, State, and even Federal—to provide the necessary relief. This bill is urgently required to meet both public and private relief needs.

My 28 colleagues all support this measure. We understand personally the extent of the recent tragedy and the need

for this assistance. I strongly urge unanimous support for H.R. 6508.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Iowa.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. You only have 60 inches of rain in 3 or 4 years? What do you drink in California?

Mr. TEAGUE of California. Mr. Chairman, if the gentleman from California will yield further, I will respond by saying that we have various types of beverages out there, including lemonade, orangeade, and sometimes we import beverages from as far away as the State of Iowa. But 15 inches of water is an ample supply.

Mr. DON H. CLAUSEN. Mr. Chairman, if the gentleman from Iowa will come to my office I will be pleased to give the gentleman a sample to show the gentleman why we drink this great California wine.

Mr. GROSS. I will be delighted to come to the gentleman's office under those circumstances.

Mr. Chairman, if the gentleman will yield further, I see various criticisms from various agencies of the Government with respect to this bill. I would ask the gentleman from California whether these criticisms were met in the terms of the revised bill?

Mr. DON H. CLAUSEN. I will state to the gentleman from Iowa that the answer is "Yes," most of them are fully met. Let me say that in one instance in particular the original legislation which was commented upon had 100-percent funding of the highways and that was the principal dollar amount involved.

As a result, the committee amended it to coincide with the property damage recommendations to be on a matching basis, which is consistent with the established matching program for highways in other areas of our jurisdiction.

Mr. GROSS. I would ask the gentleman if he can tell me about the interest provisions.

Mr. DON H. CLAUSEN. This was reduced. Originally it was $2,500. It was reduced to conform to the top limitation in the Hurricane Betsy disaster to $100.

Mr. GROSS. That was with respect to the forgiveness feature; was it not?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. This bill will provide for $30 million; is that correct?

Mr. DON H. CLAUSEN. $30 million is correct, which will be matched by the State government.

Mr. GROSS. In reference to this disaster in California, have there been disaster requests because of this storm, and if so, how much?

Mr. DON H. CLAUSEN. I would state to the gentleman that I do not know that I have the exact figure. This, of course, would be under Public Law 875, and I do not have the exact figure, but the total damages were somewhat in excess of $300 million. This piece of legislation covers and refers only to those not covered by Public Law 875.

Mr. GROSS. To answer the question, we are here dealing with Federal funds?

Mr. DON H. CLAUSEN. The gentleman is correct.

Mr. GROSS. There is no anticipation, I hope, that we are going to underwrite the $300 million worth of losses in California?

Mr. DON H. CLAUSEN. The answer to the question asked by the gentleman is "No."

Mr. GROSS. I thank the gentleman for yielding.

Mr. DON H. CLAUSEN. I thank the gentleman for his questions.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I wish to express my sympathy to the victims of the storms which swept California last January and to the purpose of the bill before us now.

I have only just returned from my own State of Ohio which suffered what many regard as the greatest catastrophe in its history last weekend. Estimates are still coming in, but the dollar loss is heading toward the $100 million mark. Fourteen counties have been declared disaster areas by the Governor. The death toll, with many still missing, stands at 33 and other casualties are in the hundreds. I witnessed much of the storm and I have never seen anything like it. It was awesome, terrifying and presented Mother Nature at her worst.

An extroardinary catastrophe such as this—such as the floods which swept California last winter—call for extraordinary measures.

I shall support passage of the bill before us today in the conviction that a natural disaster as devastating as that suffered by California and by my State of Ohio are disasters whose impact are felt by the entire Nation. I urge that the House approve H.R. 6508.

I hope that at the appropriate time when we come to the House floor that the House will see fit to support whatever funds Ohio needs to support, and to take care of the tremendous damages we have sustained.

(Mr. MINSHALL asked and was given permission to revise and extend his remarks.)

Mr. MONAGAN. Mr. Chairman, if the gentleman will yield for a moment, I would like to assure the gentleman from Ohio that the committee is somewhat acquainted with the possible extent of the damages that have occurred in the State of Ohio, but that the chairman of the committee will dispatch a subcommittee next week to visit the affected areas so as to gain firsthand knowledge on the subject.

Mr. MINSHALL. Mr. Chairman, I would state to the gentleman that I appreciate that statement, and that if it is agreeable with the gentleman I intend to go out with that committee to at least show them firsthand the damages that have occurred in the 23d District of Ohio, so that they may see the damages that we have sustained in dollars, not to mention the loss of lives.

Mr. MONAGAN. Mr. Chairman, I would state that the gentleman certainly will be welcome.

Mr. DON H. CLAUSEN. I might just add briefly to the gentleman from Ohio (Mr. MINSHALL), your colleague, the gentleman from Ohio (Mr. HARSHA) has brought this very vividly to the attention of all the members of the committee.

I am very pleased our genial chairman, the gentleman has related to you something we already knew, that we are going through Ohio to conduct an on-the-spot investigation.

Mr. STANTON. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman.

Mr. STANTON. Mr. Chairman, I simply take this time to express to you and to the chairman my sincerest thanks for his support and for his recognition of the problem we have in northern Ohio, and specifically in my 11th Congressional District which was one of the hardest hit.

I wish to thank the gentleman at this time and I certainly am looking forward to going with them.

Mr. DON H. CLAUSEN. Mr. Chairman, I want to yield just briefly to the gentleman from California (Mr. LIPSCOMB) and I might add in addition to this legislation we have passed out a resolution which is all that is required legislatively to handle the problem dealing with the ultimate recommendation for the protective works in the San Gabriel Mountain area, which was the area I must describe as the watershed surrounding the Glendora community which was on nationwide television, where the entire mountain slides developed and almost inundated the entire community.

I now yield to the gentleman from California (Mr. LIPSCOMB).

Mr. LIPSCOMB. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I want to express particular thanks to my colleagues from California, Representative DON CLAUSEN and Representative HAROLD JOHNSON and to the chairman of the Subcommittee on Flood Control, the gentleman from Alabama (Mr. JONES), for their very effective action on this particular legislation.

The subcommittee came to California to inspect the widespread damages including in the Glendora-Azusa area in the 24th Congressional District that had such severe damage. This bill will go a long way toward giving Californians support that is needed for the restoration of damaged areas in the 24th Congressional District which I represent.

I join my colleagues in urging enactment of the California Disaster Act of 1969.

The State of California suffered hundreds of millions of dollars of damage as a result of storms, floods, landslides, and high waters during January and February 1969. The Public Works Committee puts the physical devastation in property loss and damage at $265 million. Of this total damage, the 24th District of California, which it is my privilege to represent, contains areas which unfortunately were specially hard hit by the rains, flooding, and mudslides. In my district, the Glendora—which received

national attention—Azusa, San Dimas, and Mount Baldy areas experienced particularly severe damages and face a tremendous task of reconstruction and repair. The damage suffered by the people in the 24th Congressional District has been extensive, but it represents only a portion of the havoc caused by the storms throughout California.

With most of the State of California declared a major disaster area by the President of the United States, every effort was made by the Office of Emergency Planning, Corps of Engineers, Small Business Administration, and the Departments of Agriculture, Interior, and Transportation to bring about immediate relief to the disaster-torn area. However, these commendable efforts under existing law have not been enough to rehabilitate the devastated areas to normal conditions. The California Disaster Act is vitally needed to provide the special measures to assist the State in its efforts to reconstruct and repair these stricken areas.

A great need is for restoration of the storm-damaged highways, county roads and city streets. The $30 million authorized in section 2 of the Disaster Act is an important provision for the permanent repair and reconstruction of the permanent street, road, and highway facilities—not on any Federal aid system—which were destroyed or damaged by the California storms. This amount would be available to the State of California on a 50-percent matching funds basis. Since more than temporary repairs must be made which the State and counties are not financially able to do, section 2 helps meet an extensive rebuilding need that exists in California today.

Section 3, authorizing the Secretaries of Agriculture and the Interior to reimburse timber operators for reconstruction of roads which prior to the floods were under construction and were authorized by a contract for the purchase of timber, recognizes the importance of forest road and trail projects. The restoration of these accesses to sources of timber supply from the national forests represent a prudent and necessary investment in our Nation's natural resources. Because the economies of the national forest regions depend largely or entirely upon the timber industry, section 3 further authorizes the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the flood-damaged areas.

Section 4 recognizes that persons affected by floods of this intensity cannot always meet development schedules as planned. To provide adequate allowance, this section provides additional time for public land entrymen to meet requirements of law for his entry if he is unable to do so because of the storms.

To allow the Office of Emergency Planning to contract with the agency that can more efficiently and economically do the job, section 5 places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning.

Sections 6 and 7 waives up to $1,800 indebtedness for Small Business Administration disaster and Farmers Home Administration loan borrowers and authorizes deferments of all interest and principal payments for 3 years. These sections are particularly important in light of the difficulties experienced by some in obtaining SBA and FHA loans and especially because it is the small businessmen and homeowners who have been hardest hit.

Mr. Chairman, I fully support this bill, and I strongly urge Congress to enact this needed legislation.

Mr. JONES of Alabama. Mr. Chairman, I yield 3 minutes to the distinguished member of the Committee on Public Works who has served during this session of the Congress and has been of such valuable assistance in the work and functions of our committee, the gentleman from California (Mr. ANDERSON).

(Mr. ANDERSON of California asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Chairman, as a Member of Congress from California and a member of the Public Works Committee, I wish to express my sincere support for H.R. 6508, the California Disaster Act.

Although my congressional district did not suffer damage, I did observe first hand the severe damage in many other areas of California. It was my privilege to travel with the subcommittee and participate in 4 days of hearings, at which time a great deal of testimony from the executive agencies and from the State of California concerning damage suffered was received. We also observed, on the ground, damage in many areas and the loss experienced to both public and private property.

I was also glad to join with a number of my California colleagues in sponsoring the bill before us today.

The central and southern areas of California this year experienced excessively heavy rainfall coupled with high velocity winds. Most of these areas experienced rainfall of 200 to 300 percent above normal. Through February, in many areas, rainfall experiences was almost 400 percent above normal. In some southern California areas, during a 10-day period late in January, an average of 4 inches of rain a day for 10 consecutive days was experienced. In the Sacramento area, on only 11 days out of 49 during January and February, rain was not prevalent. Not only did we experience an unusually heavy rainfall during this period, but snowpacks in many mountain areas are at a near alltime high. I am informed that only in 1906 is it estimated that the snowpack exceeded this year.

Mr. Chairman, I would like to express my appreciation and recognize the consideration Congress has given California over the years in authorizing flood-control structures. I was particularly impressed by testimony of experts from the Federal agencies that an estimated $3 in losses has been prevented for every $1 invested so far in flood-control structures, and so forth, and that additional savings will continue to be forthcoming from these investments. We must, therefore, look forward to the planning of additional flood control projects in order that savings will result in future years and enable us to avoid the disastrous damages that result from storms, and so forth. From this last storm alone, California experienced losses in excess of $265 million. This is one single example of why we must continue the flood-control program in California.

Turning now to the purpose of H.R. 6508, I can only stress to you the urgent need to provide assistance for reconstruction of areas damaged and to provide relief to those of our citizens who are involved with Federal assistance programs.

Mr. Chairman, during the course of our hearings, expert testimony was received from the executive agencies of the Federal Government and the State of California relative to the damage suffered and the rehabilitation needed.

Physical property loss has been estimated being approximately in the area of $265 million. However, I wish to note this is a preliminary figure subject to refinement and, from what I have heard, every indication points to a much higher figure. Damage occurred in at least 40 of California's 58 counties and overall loss was divided approximately equally between public property and private property holders. The greatest need is for restoration of storm-damaged highways, county roads and city streets. However, I understand only a portion of the total rehabilitation needs will be eligible under existing programs. Therefore, H.R. 6508 is important as there is a substantial need to finance rehabilitation of local government facilities as these entities do not have the financial resources to do the necessary work.

I will not burden you with the needs under the several sections of the bill. However, I do wish to assure you that from information that has come to me and from my personal observation during the time of the hearings, that I believe this bill is essential and necessary.

Mr. Chairman, I would also like to stress the need for relief and assistance to our citizens who are involved with the Farmers Home Administration emergency loan program and the Small Business Administration loan program. To many of the participants I feel we must make adjustments and provide relief in order that the original purposes and intent of the respective programs are continued.

Mr. Chairman, I appreciate the opportunity to give my support to H.R. 6508 in order that we can provide assistance to the State of California and its citizenry following the disastrous storms experienced during December 1968, and January and February 1969.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. TUNNEY).

(Mr. TUNNEY asked and was given permission to revise and extend his remarks.)

[Mr. TUNNEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. PETTIS. Mr. Chairman, I join my colleagues in appealing for assistance to the State of California which suffered such great losses in the disastrous floods of this year. It is conservatively estimated that losses run in excess of $265 million. It is hard to comprehend the tragedy, as well as the monetary loss, in disasters such as this.

My own district suffered to the extent that nine persons lost their lives and public and private property damage amounted to nearly $80 million. Due to the geography of my district with its many ravines and washes the road damage was exceptionally severe. There were 70 residential dwellings destroyed in San Bernardino County and another 680 dwellings severely damaged. In almost every case, they were the homes of persons of modest means and limited income.

There are cases of persons who have worked all their lives, paying for their homes, finally reaching retirement when they had planned to settle down and try to make a small pension cover their living costs—something that might have been possible because their homes were paid for. Then they lost their homes—wiped out completely, or damaged so severely that they require considerable funds to bring themselves back to liveable conditions.

State and local resources have been called upon heavily to make the necessary repairs. The State will collect more than $40 million in additional gas tax levies to be used for repair of flood-damaged roads and highways.

Local highway funds—at least in my district—have been exhausted. Individuals and various relief agencies, such as the Red Cross, have performed magnificently in assisting those families who suffered losses. But it has not been enough. We need help. This bill will provide that help on a matching fund basis for road and highway repair and to individuals through the provisions for expanding small business administration and farmers home administration loans and grants.

California is not asking the Federal Government to do it all—we have done a lot for ourselves already. But, as other States have found when they have been hit by an overwhelming disaster, assistance from the Federal Government is vital to a complete recovery.

Mr. CORMAN. Mr. Chairman, I rise to support the California Disaster Relief Act, which I cosponsored with a number of my colleagues in the House.

The vast destruction caused by storms and floods in many areas of California this past winter and spring created such great havoc that enactment of this legislation is urgent. Total damage to private and public property, caused by drenching rains, floods, snows, mud slides and other related problems, was estimated at $425 million. The number of persons who died as a result of the floods totaled well over 100. Most of the State was quickly declared a disaster area by the President.

While Los Angeles County was so designated, I am grateful that the damage to the flooded areas in my district was not as great as that suffered in other parts of California. Because of prior Federal legislation and because of the farsighted planning of the Army Corps of Engineers in cooperation with local officials, greater harm was spared the San Fernando Valley. In one instance alone because of the Los Angeles drainage project, begun by the Army Corps of Engineers in 1938 as a result of the floods during March of that year—which reeked havoc in the Los Angeles area—an estimated $900 million damage was prevented. Without protective facilities such as this, much of the San Fernando Valley's vast residential areas could have been entirely destroyed and untold personal suffering would have ensued.

Californians were fortunate in the very quick action taken by Chairman FALLON in sending a special subcommittee to inspect the damaged areas. The subcommittee held hearings in Los Angeles. Its members met with Federal, State, and local officials and from their on-sight inspection they were able to determine what assistance should be provided by the Federal Government. The Committee on Public Works acted quickly in calling hearings and reporting out a bill.

The provisions of this bill would give meaningful assistance to the State of California in rehabilitating the disaster areas. At the time of the floods, the emergency assistance offered from all sources was most commendable and brought a good measure of relief to the people caught in the floods. But relief efforts are not enough, and this bill, if enacted, will substantially restore the disaster areas in California to normal living conditions and will revitalize the damaged industries and businesses so that economic progress can continue.

Mr. Chairman, I strongly support this legislation and urge passage of it today.

Mr. LEGGETT. Mr. Chairman, I rise today to urge passage of H.R. 6508 which will in part relieve the tremendous burden of reconstruction necessitated in California as a result of the disastrous storms which inundated large parts of the State last winter.

I personally inspected some of the ravaged areas in the vicinity of Sacramento and can testify that the destruction, especially in the rural areas, was very great indeed. The total storm damage has now been set at $265 million, of which $100 million is attributable to private property losses.

The bill we are considering today will allocate a total of about $35 million for relief. The main authorization is $30 million to be made available to the State for repair and reconstruction of roads and highways not presently on any Federal aid program. This $30 million is part of a matching program, requiring a 50-percent contribution from the State of California.

The rest of the aid package includes a waiver of indebtedness for certain Small Business Administration loans. The maximum individual waiver will be $1,800. This section of the bill will also authorize deferment of interest and principal payments for 3 years on all other SBA loans. I feel this is a very important provision, as many of the establishments ravaged by the storms and floods were small private enterprises and family businesses which cannot under the present financial situation be rebuilt without some Federal assistance. The total cost to the Government under this section is only $1.6 million—a small investment when we consider the gains to be accomplished by getting the small businessman on his feet again. A similar program under this bill extends the same benefits to Federal Home Administration borrowers, and will cost about $4.6 million.

Another provision—section 5—places the Bureau of Reclamation on the same basis as the Army Corps of Engineers in contracting reconstruction work with the Office of Emergency Planning. This provision will enable the OEP to contract with whichever agency can more efficiently and economically do the job thus cutting down on the redtape of renewal. There will be no cost to the Federal Government under this section.

This is a cost effective bill. The economic benefits gained by speedy reconstruction will more than offset the minimal cost of this legislation and, of course, the value in human terms of getting people back into their homes and back into their businesses is incalculable. I strongly urge all of my colleagues to act favorably on this bill today.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. DON H. CLAUSEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and therefore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $30,000,000 for allocation to the State of California by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and highwaters during the winter of 1968–1969 and in the spring of 1969 in California. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State of California agrees to share equally with the United States all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from

major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969 in California a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in the State of California resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that that total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 8. This Act, other than the repeal made by section 5, shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

SEC. 9. This Act may be cited as the "California Disaster Relief Act of 1969".

Mr. JONES of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. If there are no amendments to the committee amendment, the question is on the committee amendment.

The committee amendment was agreed to.

(Mr. JONES of Alabama asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, landslides, and high waters, pursuant to House Resolution 463, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 6508.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CORRECTION OF VOTE

Mr. DANIELS of New Jersey. Mr. Speaker, on rollcall No. 100 I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, the morning Washington Post carried a brief article which deserves the attention of the membership. I refer to an announcement by the Secretary of the Navy, the Honorable John Chafee, regarding the reappointment of Vice Adm. Hyman G. Rickover to another 2-year term as head of the naval nuclear propulsion program.

Admiral Rickover serves in the dual capacity of Director of the Naval Reactors Division of the Atomic Energy Commission and deputy commander of the Navy's nuclear propulsion ship's systems command.

Admiral Rickover has a long and illustrious record in the Navy, and I will append to my remarks a résumé of his record of service.

On June 24 the Joint Committee on Atomic Energy issued a report updating information on the naval nuclear propulsion program—1969. In that report's foreward the committee made the following statement:

The outstanding success of this program has been achieved under the technical direction of Vice Adm. H. G. Rickover, U.S. Navy. Admiral Rickover's current appointment as head of the naval nuclear propulsion program expires in a few months. The Joint Committee continues to have the conviction that continuity of stewardship of this vital and expanding program by Admiral Rickover and his joint AEC–Navy organization is more important than ever and that all aspects of it must be maintained and siderable public furor. It is difficult to unclear propulsion program and the large task accomplished by so few people are extremely impressive. Admiral Rickover is continuing to provide vigorous and imaginative leadership to this program and is without doubt the most qualified person available to head this vital work.

For some strange reason that has never been clear to the committee, each time Admiral Rickover's appointment has approached expiration during the last 16 years his reappointment has occurred only after considerable public furore. It is difficult to understand how the Navy, which has gained so much through Admiral Rickover's outstanding achievements and dedicated efforts, has always managed to place itself in the position of appearing to be forced by public exposure into retaining Admiral Rickover's services. The committee hopes that the new leadership of the Department of Defense and the Navy will act swiftly to announce their intention to reappoint Admiral Rickover when his present term expires in January

1970 so as to avoid any conjecture to the contrary that might arise again this year based on the poor record of their predecessors in this matter for the past 16 years.

I wish to commend Secretary Chaffee for his decision to reappoint Admiral Rickover.

I wish to especially commend our former colleague, now the Secretary of Defense, the Honorable Melvin Laird. I am sure that Secretary Laird's service on the House Appropriations Committee's Subcommittee on Defense gave him the personal knowledge of Admiral Rickover's contribution to the security of our Nation. I am also confident that his advice and counsel were effective in the decision announced by the Secretary of the Navy.

Since 1961 Admiral Rickover has held his present position. He, more than any other one man, is responsible for our nuclear Navy. He is directly responsible for our great nuclear submarine fleet which has at present 84 nuclear submarines and four nuclear-powered surface ships in operation. An additional 22 nuclear-powered attack submarines and three nuclear-powered surface warships have been authorized by Congress.

Our submarine fleet has steamed over 13 million miles. There has never been a Polaris nuclear submarine which has failed to complete its assigned mission because of a failure of its nuclear propulsion plant. This outstanding record is due to the high standards insisted on by Admiral Rickover.

I believe today that our nuclear submarine fleet stands as the first line of defense for our Nation. It is undoubtedly the most invulnerable weapon system we have due to its maneuverability and its ability to avoid being detected.

We should never forget that each Polaris-type submarine, and there are now 41, carries firepower in its nuclear missiles ranging from 2½ to 5 times greater than all the bombs used in World War II.

A biographical sketch of Admiral Rickover follows:

BIOGRAPHICAL SKETCH OF HYMAN G. RICKOVER

Vice Admiral Hyman G. Rickover was born in Warsaw, Poland, in 1900 and came to the United States with his parents, Abraham and Rose Rickover, at the age of four. He graduated from the U.S. Naval Academy in 1922, was commissioned as Ensign. He later attended the Columbia University School of Engineering and the U.S. Naval Postgraduate School. He became a qualified submariner in 1930.

In 1946, he was assigned to the Atomic Submarine Project, then under the Manhattan Engineer District, as Assistant Director of Operations. Since 1947 he has worked in a dual capacity as Manager Naval Reactors, U.S. Atomic Energy Commission and as Assistant Chief for Nuclear Propulsion, Bureau of Ships, Department of the Navy.

Admiral Rickover first achieved national recognition for his leadership in the development and fabrication of nuclear propulsion systems for submarines and other naval ships. As early as 1946, before the Atomic Energy Commission was established, Admiral Rickover was assigned responsibility for investigating the use of nuclear reactors for this purpose. He assembled a team of naval officers at Oak Ridge, Tennessee, and early in 1948 was made chief of a joint AEC-Navy program to develop the first naval propulsion system.

Later, in collaboration with the outstanding scientists and engineers of Argonne National Laboratory, basic data on the nuclear properties of reactor materials were compiled and conceptual design systems for nuclear propulsion of ships were developed.

Admiral Rickover also brought industry into an active role, and at Bettis near Pittsburgh, Knolls Laboratory near Schenectady, and at the National Reactor Testing Station in Idaho the development of naval nuclear propulsion systems was carried out. A landmark in this effort was the initial operation on March 31, 1953, of the Submarine Thermal Reactor, Mark I, the land-based prototype of the first nuclear submarine propulsion plant.

On June 14, 1952, the keel of the *Nautilus*, the world's first nuclear submarine, was laid at Groton, Connecticut. The event marked the beginning of a revolution in the concepts of naval propulsion. In February, 1957, the *Nautilus* completed operation on its first core, having traveled 62,500 nautical miles in more than two years. For the first time a true submarine had become possible. Nuclear submarines such as the *Nautilus* and the *Skate* voyaged under the North Pole Ice Cap, demonstrating that the polar regions were no longer inaccessible to ships. The *Triton* became the first submarine to circumnavigate the world completely independent of the earth's atmosphere. A graphic demonstration of the scope of Admiral Rickover's efforts and the value of nuclear propulsion to the surface fleet was recently provided when the aircraft carrier *Enterprise*, the guided missile cruiser *Long Beach* and the destroyer *Bainbridge* cruised around the world without refueling. From operating experience at sea, and from land prototypes, the effort to further develop nuclear propulsion has continued with great success.

Comparably important, but not so well known, is his direction and leadership of the Shippingport Pressurized Water Reactor (PWR) project near Pittsburgh, Pennsylvania, from which came not only most of the basic technology for submarine and surface ship reactors but also a large part of the reactor technology used in our present day water-cooled and water-moderated nuclear power plants.

The Shippingport Project was established in 1953 as an important national goal. It was the first large-scale central station atomic power plant in the world and has served as the technical foundation for other reactor plants both private and government-owned. This plant has supplied more than 1.7 billion kilowatt hours of electricity to users in the Pittsburgh area since its initial start-up in late 1957 and has clearly demonstrated that nuclear fission can reliably and safely supply electricity to a utility network on a useful scale.

Notwithstanding its success in the production of electricity, the primary goal of the Shippingport project, under Admiral Rickover's direction, was advancement of the basic technology of water reactors. Some of the specific gains in reactor technology resulting from the Shippingport operation are in the fields of fuel and nuclear poison technology; reactor physics; reactor control; reactor thermal, hydraulic, and mechanical design; basic heat transfer studies; fuel element failure detection systems; refueling procedures; primary coolant water radiochemistry; and disposal of radioactive wastes.

Two of the most important contributions resulting from Admiral Rickover's direction of the Shippingport (PWR) project have been in the fields of reactor physics and reactor fuel technology. The PWR, with its "seed and blanket" design, demonstrated that it is feasible to obtain large amounts of power from a "blanket" of natural uranium surrounding a "seed" of highly enriched uranium which serves as the driving element in a reactor which is cooled and moderated with ordinary water. While producing power the seed-and-blanket design has the additional advantage of making possible the breeding of fissionable material from the very abundant element thorium in the blanket. As a result of Admiral Rickover's achievements in this program, the State of California has submitted a proposal for cooperative construction of a large thorium seed-blanket reactor which the Commission now has under consideration.

In the field of fuel metallurgy the Shippingport PWR project team, led by Admiral Rickover, has been responsible for the development of uranium oxide as a fuel material for large power reactors. Engineering studies of the PWR also produced many design improvements which have extended the life of reactor fuel elements and thus have contributed to the reduction in nuclear power costs. The first PWR core, placed in the reactor in late 1957, operated until February, 1964, more than three times its original design life.

For his many achievements, Admiral Rickover has been awarded the Navy's Legion of Merit and Commendation Ribbon with Oak Leaf Cluster, the Cross of the British Empire (Military Division), the Egleston medal of Columbia University's Engineering Alumni Association, and the Army and Navy Union's Medal of Honor. In 1959 the Congress of the United States presented him with a special Congressional gold medal in recognition of his achievements. He was the third U.S. Navy Admiral ever to be so honored.

On January 14, 1965, Vice Admiral H. G. Rickover was presented with the 1964 Enrico Fermi Award by President Johnson. The citation for the Award states: "For engineering and administrative leadership in the development of safe and reliable nuclear power and its successful application to our national security and economic needs."

Admiral Rickover is married to the former Ruth D. Masters and they have one son, Robert.

REAPPOINTMENT OF VICE ADM. HYMAN G. RICKOVER AS HEAD OF NAVAL NUCLEAR PROPULSION PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I wish to add my voice to the views expressed by the gentleman from California (Mr. HOLIFIELD). I am certain he speaks for the members of the Joint Committee. I enthusiastically compliment the Secretary of the Navy, and any others who had anything to do with the decision to extend Vice Adm. Hyman G. Rickover's term of office. The contributions made in the past by Vice Adm. Hyman G. Rickover are recognized by all who know him, and we are sure his contributions in the future will be even greater.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. RIVERS. Mr. Speaker, I would certainly like to associate myself with these remarks.

Mr. Speaker, I think the observations of the gentleman from California and the gentleman from Michigan bespeak the sentiment of every single Member of this body.

July 10, 1969

10. TAXATION. Rep. Reuss commended and inserted an editorial urging "the Senate to hold the surtax extension bill hostage until a meaningful tax reform package is attached to it." p. H5851

11. WHEAT. Rep. Mize congratulated Secretary Hardin for calling high level meetings on the future of wheat exports under the provisions of the International Grains Arrangement and Assistant Secretary Palmby for his "no-nonsense statement on the deficiencies of the IGA." p. H5826

12. ADJOURNED until Mon., July 14. p. H5866

SENATE

13. ENVIRONMENTAL QUALITY. Passed as reported S. 1075, to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers. pp. S7813-9

14. DISASTER RELIEF. Passed with amendment (to substitute the language of S. 1685, as passed by the Senate on July 8) H. R. 6508, the Calif. disaster relief bill. pp. S7822-3

15. FOREIGN TRADE. Sen. Hollings discussed the effect of U. S. foreign trade policy on basic manufacturing industries. pp. S7805-13

16. PERSONNEL; LEAVE Received from the Civil Service Commission a proposed bill to improve the administration of the leave system for Federal employees by amending title 5, U. S. Code; to the Post Office and Civil Service Committee. p. S7827

17. RECREATION. Sen. Yarborough inserted a resolution passed by the Il Penseroso Jr. Study Club of Lockney, Tex., urging establishment of a 100,000---acre Big Thicket National Park. p. S7848

18. WILDLIFE. Sen. Hollings inserted a S. C. General Assembly resolution requesting that State and Federal agencies not take any action toward making the Congaree River or the Wateree River navigable until S.C. determines ... that such navigability would not interfere with the propagation of striped bass. p. S7853

19. PESTICIDES. Sen. Nelson urged further action to control the use of persistent pesticides and inserted articles reporting the Department's recent announcement of the suspension of the use of certain pesticides (pp. S7853-4) and inserted articles discussing a possible link between cancer and the use of certain pesticides (pp. S7855-6).

EXTENSION OF REMARKS

20. POPULATION. Rep. Scheuer commended and inserted a report prepared by a panel established by the United Nations Association of the United States of America on the world population situation and stated that he will sponsor a resolution urging the President to make the recommendations of the report part of our foreign policy. pp. E5771-2

21. FARM LABOR. Sen. Yarborough commended Cesar Chavez for bringing the "problems of the migrant worker and especially the Mexican American to the attention and the conscience of the United States" and inserted numerous articles praising Mr. Chavez. pp. E5772-92

22. OPINION POLL. Rep. Latta inserted the results of a questionnaire including items of interest to this Department. p. E5796

23. PESTICIDES. Rep. Dingell inserted an article "setting forth the dangers of persistent pesticides such as DDT." p. E5805

24. DISASTER RELIEF. Speech in the House by Rep. Tunney during debate on the Calif. disaster relief bill expressing gratitude to the Public Works Committee for having processed the bill "so expeditiously." p. E5806

25. TAXATION. Rep. Gilbert inserted the text of a tax message he mailed to his constituents informing them of his position on tax legislation. p. E5816

Rep. Rodino inserted a resolution from the National School Supply and Equipment Association supporting the proposed Interstate Taxation Act. p. E5844

26. PERSONNEL. Rep. Kastenmeier spoke in support of proposed legislation requiring the Federal Government to progressively increase its contribution to the employees' health benefits program until it eventually assumes its entire cost. pp. E5821-2

27. CONSUMERS. Rep. Eckhardt inserted a Neighborhood Consumer Information Center report on the problems and solutions of low-income consumers. pp. E5828

29. POLLUTION. Rep. Blatnik discussed and inserted articles on thermal pollution. pp. E5861-2

BILLS INTRODUCED

30. PERSONNEL. H. R. 12738 by Rep. Helstoski, to amend chapter 83, title 5, U.S.C, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to Post Office and Civil Service Committee.

H. R. 12739 by Rep. Helstoski, to provide increased annuities under the Civil Service Retirement Act; to Post Office and Civil Service Committee.

91ST CONGRESS
1ST SESSION

H. R. 6508

IN THE SENATE OF THE UNITED STATES

JULY 10, 1969

Received; read twice, considered, amended, read the third time, and passed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That Congress hereby recognizes (1) that the State of California has experienced extensive property loss and damage as a result of storms, floods, and high waters during the winter of 1968-1969 and the spring of 1969, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent upon prompt restoration and reconstruction of transportation facilities and public works projects, and there-~~

fore Congress declares the need for special measures designed to aid and accelerate this State in its efforts to provide for the reconstruction and rehabilitation of these devastated areas.

SEC. 2. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed $30,000,000 for allocation to the State of California by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968–1969 and in the spring of 1969 in California. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State of California agrees to share equally with the United States all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and as a result of storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969 in California a major physical change results in additional construction

work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California damaged by storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which

to comply with any requirement of law in connection with any public land entry for lands in California as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in the State of California resulting from the storms, floods, and high waters during the winter of 1968–1969 and the spring of 1969, the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) shall at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three

years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), in the case of property loss or damage in the State of California resulting from storms, floods, and high waters during the winter of 1968-1969 and the spring of 1969, the Secretary of Agriculture shall, to the extent such loss or damage is not compensated for by insurance or otherwise, (1) at the borrower's option on that part of any loan in excess of $500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so canceled shall not exceed $1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

SEC. 8. This Act, other than the repeal made by section 5, shall not be in effect after June 30, 1970, except with respect to payment of expenditures, obligations, and commitments entered into under this Act on or before such date.

~~SEC. 9. This Act may be cited as the "California Disaster Relief Act of 1969".~~

That this Act may be cited as the "Disaster Relief Act of 1969".

DEFINITIONS

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

GRANTS TO STATES FOR DISASTER PLANNING

SEC. 4. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering

losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territories.

(b) From the sums available for the purposes of this section, the President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring to participate in this program shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective administration out of this section.

(e) Upon the submission of such plans the President shall, not later than June 30, 1971, report and recommend to the Congress a program for implementation and funding

of the State comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as

the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

FOOD STAMP PROGRAM

SEC. 6. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determina-

tion regarding availability of food stamps in major disaster situations.

ASSISTANCE TO INDIVIDUALS

SEC. 7. The President is authorized to provide to individuals unemployed as a result of a major disaster, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

CLEARANCE OF LAKE CONTAMINATION

SEC. 8. The President is authorized to make grants to any State or political subdivisions thereof for the purpose of lake clearance in cases where a major disaster has resulted in contamination of any lake by debris which has created conditions hazardous to health and safety.

FIRE CONTROL

SEC. 9. The President is authorized to make grants and loans to any State to assist such State in the suppression of a fire or fires on State or privately owned forest or grass lands which threatens destruction of such proportions as to constitute a major disaster.

DEBRIS REMOVAL

SEC. 10. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of a major disaster which has created conditions hazardous to health and safety.

TIMBER SALE CONTRACTS

SEC. 11. (a) Notwithstanding provisions of contracts entered into prior to July 1, 1965, the Secretary of the Interior and the Secretary of Agriculture shall, as part of the regular road and trail construction program administered by each such Secretary, reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by each such Secretary as incurred or to be incurred for restoring roads in any stage of construction, authorized by a contract for the purchase of timber from lands under such Secretary's jurisdiction, to substantially the same condition as existed prior to a major disaster, and to the extent costs determined by such Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to a major disaster but which, because of changed conditions

resulting from such disaster, exceed road construction costs as originally determined by such Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to a major disaster, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (A) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (B) in the case of any road construction if the increase in the cost of such construction as the result of a major disaster is less than $500 more than the construction costs as originally determined by such Secretary.

(b) Where either such Secretary determines that damages resulting from a major disaster are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by this subsection, he may allow the cancellation of any such contract notwithstanding provisions therein.

EFFECTIVE DATE

SEC. 12. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after December 31, 1968.

Passed the House of Representatives, July 9, 1969.

Attest: W. PAT JENNINGS,
Clerk.

Passed the Senate July 10, 1969.

Attest: FRANCIS R. VALEO,
Secretary.

91ST CONGRESS
1ST SESSION

H. R. 6508

AN ACT

To provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters.

JULY 10, 1969

Received; read twice, considered, amended, read the third time, and passed

It indicates that there is a need for a compromise on the situation relative to the ABM. The compromise which will be before the Senate at the appropriate time is the Cooper-Hart amendment, which he thinks, as I do, has a good deal of merit.

I would hope that the administration would pay serious attention to what the distinguished Senator has had to say. As always, what he has had to say is worth noting.

Mr. PEARSON. I thank the majority leader.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. PEARSON. I yield.

Mr. YOUNG of Ohio. Mr. President, I also desire to compliment the distinguished senior Senator from Kansas for the remarks he has just made. Not only do I compliment him, but also, I associate myself with the views he has expressed.

Mr. PEARSON. I thank the distinguished Senator.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM IS A NATIONAL TRAGEDY—LET US LEARN FROM OUR MISTAKES

Mr. YOUNG of Ohio. Mr. President, in my lifetime I have served as both a private and an officer in the Armed Forces of our Nation in time of war. In World War II, I served for 37 months. During that period I was in North Africa and Italy most of the time. While I personally found it much harder to be a private than to be an officer, the facts are I never attained a very high rank in our Army being discharged early in 1946 with the rank of lieutenant colonel. I have always held the officers of our Armed Forces in the highest admiration. The truth is that in 1945 I toyed with the idea of remaining in the Army and making that service my career.

I have no personal knowledge that military officers of our Nation have been much maligned nor that they are currently the whipping boys of critics of our involvement in a civil war in South Vietnam, of whom I certainly am one.

In recent years irresponsible optimistic statements on the progress of the Vietnam war have been made by civilian officials in the executive branch of our Government and also by some of our generals and admirals. I assert that these generals, admirals, and civilian officials in the executive branch of our Government have been proven tragically wrong. Their unjustifiably optimistic predictions were proven so thoroughly wrong that no doubt public confidence in the credibility of our military and civilian leaders has undermined to some extent public confidence in the credibility of our Government.

Mr. President, in October 1965, I spent nearly a month in Southeast Asia, and in that period I visited every area in South Vietnam, visiting Army, Marine, and air bases and also our naval base at Cam Ranh Bay not yet completed at that time. I visited all our air and coastal bases in Thailand and had the experience of being flown by helicopter over the South China Sea, landing on the U.S. carrier *Bon Homme Richard* and observing our bomber planes returning from their missions.

Last year I was again in South Vietnam, also in Laos and Thailand. Again, I was in every area in South Vietnam and also in Laos. It was frightening to me to be told that Laos might well be the next place in Southeast Asia where Americans would be fighting and dying. I was on a factfinding mission. It was my endeavor to be objective, fair and impartial. In the course of my visits in Vietnam I had the opportunity to interview that flamboyant Air Marshal Ky who as an officer in the French Air Force fought with the French seeking to reestablish their lush Indochinese Colonial Empire against the forces of the National Liberation Front then termed Viet Minh, now termed VC. This fellow is now vice president of the militarist Saigon regime headed by General Thieu.

In my judgment this regime lacks the support of more than 20 percent of the Vietnamese living in south Vietnam. Except for the support of half a million fighting men of our Armed Forces, I am convinced that the present Saigon regime lacking support of its own people could not exist 1 week.

I recall distinctly that Gen. William C. Westmoreland stated in 1965:

> All I can say is that we Americans are no longer losing the war.

I wish to pay tribute to Gen. Matthew B. Ridgway under whom I served in World War II. General Ridgway said:

> It is my firm belief that there is nothing in our code that requires us to bomb a small Asian nation back into the stone age.

Also, to Gen. James Gavin, former chief of Army plans and operations and later American Ambassador to France who said during the period of our heaviest escalation of the war:

> To increase the bombing and to bomb Hanoi will add to our problems rather than detract from them, and it will not stop the penetration of north Vietnamese troops into the south.

Gen. Omar Bradley, a heroic commander in World War II and former Chief of Staff wisely stated:

> For the United States to be drawn into a war on the Asian mainland would be the wrong war in the wrong place at the wrong time against the wrong enemy.

Another great American, Gen. David M. Shoup, former Commandant of the U.S. Marine Corps in 1966 stated:

> In my judgment, the whole of Southeast Asia as related to the present and future safety and freedom of the American people is not worth the life of a single American.

In an article in the April 1969 edition of Atlantic Monthly, General Shoup charged that an ambitious elite of high-ranking officers from all branches of our Armed Forces prefer war to peace and are turning the United States into a militaristic and aggressive nation. He has asserted that the search for promotion, interservice rivalry, and an eagerness to test military doctrines were the prime factors behind our involvement in Vietnam. General Shoup charges that military, naval, Marine, and Air Force leaders were so eager and so obsessed to test new equipment and tactics in Vietnam that they encouraged the Johnson administration to mire the United States in the quagmire of Vietnam. This, from one of our Nation's greatest fighting men and a former member of the Joint Chiefs of Staff.

Mr. President, I could go on at length citing great American military and naval leaders who have been critical of our involvement in the immoral, undeclared war in Vietnam. I could also spend a great deal of time recalling the remarks of generals and admirals who supported that effort. Senators will recall that in a recent issue of the Reader's Digest, Adm. U.S. Grant Sharp, former commander of our naval forces in the Pacific, stated that our air power could have won the war in Vietnam. He assailed former Secretary of Defense Robert S. McNamara as the principal villain for our failing to do so. The admiral claimed that had we bombed railroad yards and power stations in Hanoi and the docks in Haiphong "we could have quickly broken North Vietnam's resistance." He failed to mention that had we done so we would have killed hundreds of thousands of civilians—children, women, and men, including no doubt some officers and crew members of freighters of foreign nations including Poland, the United Kingdom, the Soviet Union, West Germany, and other nationals. Also, that such aggressive action might have precipitated world war III. Also, that we would have run the dangerous risk of Communist Chinese intervention and our involvement in a land war in Asia with Communist China and its 800 million people. This myopic admiral chose to ignore almost completely the fact that this would very likely have led to nuclear war and perhaps the killing of 40 or 50 million Americans and the end of civilization as we know it. Civilian policymakers did not veto the bombing of Haiphong Harbor because, as the admiral claimed, "it would not affect the enemy's capability of waging war in south Vietnam," but because they retained the foresight and good sense to realize that this might widen the war into a worldwide nuclear holocaust. Our civilian leadership realized that this little agrarian country, 10,000 miles from our shores, is of no strategic or economic importance to the defense of the United States and was not worth this fantastic risk.

Admiral Sharp's reasoning was perhaps not only a mere misconception and distortion of history, but the beginning of an attempt by some military and naval leaders to exonerate themselves completely for our failure in Vietnam and to place the blame on civilian leadership.

Mr. President, it is clear that no one person, civilian or military, is responsible for the tragedy, in fact for the insanity, of our involving more than half a million young Americans now engaged in

fighting a war in Vietnam and more than 2 million young Americans who have fought there in recent years. All those who participated in the decisionmaking processes of Government during our escalation and expansion of this civil war into an American air and ground war from the President, the Secretary of State, the generals of our Joint Chiefs of Staff on down bear heavy responsibility. All who stood idly by and did not speak out as we became ever more mired down in the Vietnam quagmire also bear some responsibility.

Vietnam is a national tragedy of immense proportions. Let us hope that the war will soon come to an end. Then, let us as a united people begin to correct the evils which it has perpetrated and prolonged in our society. Let us then begin to rebuild our society and to restore confidence in America and in our foreign policies.

Most important, we must be temperate in placing responsibility and blame on any one group of policymakers, whether they be civilian or military, for our mistakes in Vietnam. Likewise, if we are to learn from our mistakes of the past we must resist the temptation to whitewash those responsible for this tragedy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 6508) in which it requested the concurrence of the Senate.

THEY WERE NOT LISTENING

Mr. PEARSON. Mr. President, it has come to my attention that two of my distinguished colleagues, the Senator from Ohio (Mr. SAXBE) and the Senator from Kentucky (Mr. COOK), have been subjected to one of the oldest and most tattered of charges known in political life; namely, of campaigning one way and voting another.

These two distinguished Senators need no defense from me. Jesse R. Shaffer, the Cincinnati Enquirer's bureau chief, has set the record straight in an article he wrote on July 6, 1969, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"THEY WEREN'T LISTENING"

(By Jesse R. Shaffer)

WASHINGTON.—When Marlow W. Cook, Republican candidate for the U.S. Senate from Kentucky, finished speaking before a state Chamber of Commerce luncheon in Louisville last August, one of the ladies in the audience exclaimed: "My, what a wonderful speaker!"

"Did you like what he said?" she was asked.

"I'm not sure what he said," came the reply, "but he sure is a wonderful speaker."

During that same campaign period, across the Ohio River, a Portsmouth, Ohio, resident was asked his views on the race between Senate candidates William B. Saxbe and John J. Gilligan.

"I don't really know how they stand," he said, "but I do know that I'd never vote for that Gilligan."

Multiply this inattentiveness, this lack of interest—call it what you will—by thousands of times and it is easy to understand why both Cook and Saxbe now find themselves being cast in the role of publicity seekers, mavericks, traitors to their Republican party or, as one Ohioan referred to Saxbe recently, "A Republican Frank Lausche."

(This latter description, of course, refers to Saxbe's predecessor in the U.S. Senate, Frank J. Lausche who, while running as a Democrat, voted more often with the Republicans.)

Conservatives in both Ohio and Kentucky now are accusing the two freshmen lawmakers of changing horses after they arrived in Washington to take up the posts to which they were elected last November.

Yet both claim that they have not changed.

"I haven't done anything down here (in Washington) I didn't indicate I would do during my campaign," Saxbe declared recently, adding: "If they (his critics) don't know that, they weren't listening."

Cook agrees.

"I don't know of anything that I've changed my position on since the campaign," the Kentuckian said. "I think Saxbe's right, they just were not paying any attention to what we said."

A check of speeches and position papers drafted by the candidates during the campaign, as well as statements made by them since the election indicate that the two may have hit upon the answer—the people weren't listening.

Most of the criticism stems from the public stands the two have taken on the Vietnam war, military spending and welfare issues.

Yet both men last fall were speaking out against over-commitment in Vietnam; the need to "win or get out."

Almost as though the two had the same campaign speech writer, both said early in their campaign that the United States could no longer serve as a world policeman. They are both repeating the same beliefs now.

Both said the 10% surtax should be abolished, and both continue to say it here.

They called for saving millions of dollars being wasted on unproductive programs, both in the military and nonmilitary fields. They are still calling for these same cutbacks.

And both men called during the campaign for reordering the national priorities with a view toward paying more attention to solving domestic problems. That is still their stand.

Probably the most criticism has come because of the united stand Saxbe and Cook have taken on one big controversial issue, the Nixon administration's plan to deploy an anti-ballistic missile system.

While the Ohio and Kentucky lawmakers are vehemently opposed to the administration's plan, they were on record as being opposed long before President Nixon reached a decision on deployment.

So far, Mr. Nixon and his advisors have been unable to convince Messrs. Saxbe and Cook that he's right, they're wrong.

Unlike many of the liberals with whom they're lumped and who oppose the ABM on moral or emotional grounds, Cook and Saxbe maintain their opposition is technical and that their position is, despite what the critics claim, the position of a true conservative.

"I came to Washington on record as being opposed to wasteful spending," Cook said recently.

"I will not vote to spend billions of dollars for a system that will not work, or that will be outmoded before it's completed.

"If that isn't the view of a true fiscal conservative, then I don't know what it is."

Saxbe, likewise, said he opposed the ABM because he doesn't believe it will work, and, therefore, isn't worth the money.

The two senators believe that their position is much more defensible than that of so-called conservatives who vote for huge military spending programs, then vote against such legislation as the surtax extension bill which would provide at least a portion of the money that goes to pay for the programs.

"We're consistent conservatives, at least," remarked Cook.

Studying the two men and their records, it appears that both were voted into office by an electorate not fully—or, in some cases, not even remotely—aware of their positions on various issues.

Neither man was ever as conservative as many Republicans believed, but the ultra-liberal opposition both faced last November did nothing to mar that image.

Except for their differing opinions on one or two major issues, both are cast in the moderate mold that seems to also suit President Nixon.

They are not, nor do they need to be, as willing to make political concessions to either the liberal or conservative factions as Mr. Nixon seems to be on the basis of their records thus far.

While both seem a bit surprised that they have been tabbed as mavericks by many of the people back home, they feel that this image will change.

Saxbe claims that by the end of the current session, he will have voted with the administration more than he has voted against it.

Cook says he, too, believes it's too early for anyone to be attacking his voting record. He'll speak up for the administration whenever his conscience allows.

However, the question again is: Will anyone be listening?

LATEST AMERICAN CASUALTIES IN VIETNAM

Mr. GORE. Mr. President, today I inquired of the Department of Defense with respect to the casualties in Vietnam, and it has reported that there were 1,737 casualties last week in killed and wounded.

This brings the total, since President Nixon's inauguration, to more than 48,000 American casualties in Vietnam.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALIFORNIA DISASTER RELIEF ACT

Mr. MANSFIELD. Mr. President, after clearing this matter on both sides, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6508.

The PRESIDING OFFICER laid before the Senate H.R. 6508, to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all after the enacting clause of H.R. 6508 be stricken and that there be substituted therefor the full text of S. 1685, as passed by the Senate on July 8, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment was agreed to.

The bill was ordered to a third reading, was read the third time, and passed.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ABM

Mr. KENNEDY. Mr. President, the Senate soon will turn to the amendment—introduced yesterday by Senators COOPER and HART—to prohibit deployment of the Safeguard ABM. A number of other Senators and I have joined with the Senator from Kentucky and the Senator from Michigan in sponsoring this amendment, because of our belief that deploying this weapons system at this time would be a serious error.

A number of discussions on the Senate floor yesterday picked up the outlines of the arguments for and against deployment which have been before us for more than a year. The distinguished Senator from Tennessee noted in his remarks, for example, that the emphasis of the arguments of those favoring deployment appears now to have shifted to Safeguard's hypothetical utility as a bargaining card—or, as it has sometimes been referred to, as a multibillion-dollar poker chip.

It is not surprising that this particular "bargaining card" argument has been resurrected. For the searching examination the ABM in recent months has uncovered deep cracks in the other arguments—particularly the one that Safeguard will protect our deterrent.

I have recently read a short paper which describes graphically and dramatically this serious flaw in the Safeguard Phase I deployment, as recommended by the administration and approved by the Armed Services Committee. This flaw is the relative ease with which the Soviets could neutralize Safeguard. The paper is not technical; it is, rather, based primarily on commonsense. Because of its significance, I shall ask unanimous consent to have it printed in the RECORD so that all Senators may study it.

It points out that Safeguard Phase I—the ABM recommended—will not be completed for at least 60 months. Yet, in from 6 to 12 months, the Soviets could build enough new ICBM's—on top of those they already have—to make it entirely ineffective and useless. These new ICBM's would simply exhaust our defending missiles, laying bare the hypothetical target—our own Minutemen missiles.

To me, this argument appears irrefutable, at least as it applies to the potential threat. As it applies to a hypothetical threat from another source—as, for example, an irrational Chinese attack—it is hard to understand why the Chinese would attack precisely those two sites where we had defensive missiles. They would be much more likely, I should think, to attack our cities, which would be undefended—and which cannot be defended.

This is a compelling argument to vote against the funds for deploying Safeguard Phase I. We would be better advised, it seems to me, to continue our research into the problem of ballistic missile defenses generally, as amendment No. 68 would require. We may yet develop an effective ballistic missile defense—but Safeguard does not appear to be the one.

Mr. President, I ask unanimous consent that the report to which I have referred be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE SAFEGUARD ABM: ITS ESSENTIAL WEAKNESS

The Defense Procurement Authorization bill presently before the Senate would authorize $345.5 million for deployment of the Safeguard ABM in fiscal year 1970. To this $345.5 million would be added $15 million in carry-over appropriations, bringing the total procurement funds to $360.5 million for the current fiscal year.

This sum would permit the Army to begin construction work on Phase I of Safeguard—two operational ABM sites at our Minuteman ICBM fields in Montana and North Dakota. The Administration has recommended deployment of only these two sites, and the Committee on Armed Services has authorized only those funds for FY 1970 necessary to carry deployment through June 30, 1970. The remaining funds for Phase I deployment—some $940 million—will have to be authorized in subsequent years.

The essential weakness of the Safeguard ABM can be readily demonstrated if we assume the completion of Phase I. Secretary of Defense Laird has estimated the "equipment readiness date" for the Grand Forks site as January, 1974, and for the Malmstrom site as July, 1974. Past experience with complex military weapons systems indicates that these dates will probably not be met, but will actually be at least 6 months to a year later than estimated.

The Minuteman fields at Grand Forks and Malstrom have roughly one-third of our 1000 Minuteman missiles. Yet Secretary Laird has testified that Safeguard Phase I will provide a "fairly thick cover" for "10–20 percent of our Minuteman force," or 2 of the 6 Minuteman wings. A "fairly thick cover" is protection by both the Spartan and Sprint missiles—or a "point defense". Thus, Safeguard Phase I would protect only from 100 to 200 of our 1000 Minuteman missiles—at a cost of $2.1 billion.

The number of Sprint and Spartan missiles we would employ in Safeguard Phase I remains classified. Yet we can be certain that once construction of our Sprint and Spartan missile silos begins, the Soviets will, through satellite reconnaissance, know with certainty how many we intend to deploy. The Soviets would then have a simple task before them to neutralize Safeguard Phase I—which of course their defense planners will seek to do just as we have plans to neutralize *their* ABM. Pentagon witnesses have testified that our neutralizing technique is saturation: if they have 70 anti-ICBM missiles, then we fire at these 70 missiles 70 warheads of our own, thus exhausting the defense and wiping out the protection of the target.

This is the simplest way of countering an ABM, and the surest. There are, of course, others—utilizing mechanical and electronic penetration aids. But this saturation technique is so obvious and so comparatively inexpensive as to be almost certain to be used.

Since the number of Safeguard Phase I Sprints and Spartans is classified, we can make a table using various numbers of these missiles to reveal how simply the Soviets can neutralize Phase I. This table appears at the end of this paper.

It shows quite clearly that if Safeguard Phase I had 300 Sprints/Spartans, then the Soviets in *12 months* could produce enough *new* SS–9s, each with 10 warheads, to neutralize Safeguard. If the SS–9's had 20 warheads, then it would take only *6 months*. We should not forget that Safeguard Phase I is estimated to be completed in July, 1974—or 60 months from now.

This is the essential weakness of Safeguard. It shows quite clearly that Safeguard Phase I would add to our national security *only* if the Soviets chose to ignore it—an assumption only the most naive would make. In sum, Safeguard would not appear to be anything but false security and a waste of scarce Federal funds.

TABLE I

Number of Sprints/ Spartans	Number of SS–9's needed to saturate		Months needed to produce new SS–9's	
	10 warheads	20 warheads	10 warheads	20 warheads
100	10	5	4	2
300	30	15	12	6
600	60	30	24	12
1,000	100	50	40	20

NOTES

1. This table assumes that both our ABM and the Soviet ICBM's have 100 percent reliability. This is of course a false assumption; a 70-percent figure might be more realistic.
2. The SS–9 can easily be designed to carry 10 or 20 or perhaps even more MIRV'd warheads by 1974.
3. The Soviets now have 230 SS–9's; by 1975, they "are expected to have somewhere around 400" (Secretary Laird) This is a deployment rate of roughly 3 per month.
4. The Soviets do not need to use the SS–9 to saturate the ABM. They could instead use the smaller, less expensive SS–11 or SS–13, eachtof which have good accuracy and could carry multiple warheads.

The PRESIDING OFFICER. Is there further morning business?

TERMINATION OF THE USE OF NATIONAL AIRPORT BY JET AIRCRAFT

Mr. CANNON. Mr. President, yesterday my distinguished colleague from Colorado introduced a bill—S. 2570—that would direct the Secretary of Transportation to prepare and implement a program that would terminate the use of National Airport by pure jet aircraft. The legislation would also direct the Secretary to prepare and submit a plan to Congress for a high-speed surface transportation system that would connect Washington with Dulles and Friendship airports.

To my knowledge this is the first legislation introduced in the Senate that would bar jet aircraft from National.

The Senator, in introducing his bill, among other things, said, "I have under-

stood that this bill will probably be sent to committee and be buried."

Unless the proposal contained in a bill lacks merit, it is not buried in the Commerce Committee, and so if this bill lacks merit it will be treated accordingly.

It seems to me it is a little unfair for the author to accuse a committee of burying his bill before it is even printed.

If it comes to the Aviation Subcommittee and we believe it is deserving of public hearing, it will get public hearing.

I should point out that the discontinuance of jets at National would result in a serious cost of manpower to the Nation. The shuttles alone carry approximately 20,000 persons per day, and 1 hour longer travel time for for each per day would result in thousands of hours of loss in productivity to the Nation's economy.

The Senate Commerce Committee has been extremely concerned about many of the problems which the Senator points to, and which affects especially Washington National Airport. The committee has taken the leadership in Congress in seeking to come to grips with the problem of noise and pollution created by jet airplanes. As a matter of fact, last year the committee held hearings, then reported a bill which ultimately became Public Law 90–411 which directs the FAA to prescribe certain minimum noise abatement regulations relating to jet aircraft operation. At the present time, pursuant to this law, the FAA is promulgating regulations which when in effect will significantly reduce the noise level of commercial jet transports.

The Commerce Committee and particularly the Aviation Subcommittee far from seeking to, as the Senator puts it, "bury legislation designed to meet the problems of civil aviation," has on the contrary provided the leadership in many of these areas and the record on legislation from this committee speaks for itself. Together with Senator MAGNUSON, the chairman of the committee, and Senator Monroney the former distinguished chairman of the Aviation Subcommittee, we have moved forward and will move forward in the future to consider all legislation which has a bearing on making our aviation system both more safe and efficient.

ORDER FOR RECOGNITION OF SENATOR GOODELL TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from New York (Mr. GOODELL) be permitted to speak for 20 minutes following the time allotted to the distinguished Senator from Idaho (Mr. CHURCH) tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARD OF THE SPINGARN MEDAL TO CLARENCE M. MITCHELL, JR.

Mr. KENNEDY. Mr. President, the distinguished Senator from Maryland (Mr. TYDINGS) will make some remarks and lead the tributes to Clarence Mitchell for his having received the Spingarn Medal. I will take the opportunity simply to express my congratulations to Mr. Mitchell. He is deserving and worthy of this high honor. Over the years since I entered the Senate, I have counseled with him many times, as have most Senators who seek to forward the goals and dreams of the civil rights movement. His judgment is superb and his wisdom unsurpassed. I am delighted that he has been chosen to receive this recognition.

I applaud the Senator from Maryland for bringing this matter to the attention of the Senate.

Mr. TYDINGS. Mr. President, I rise at this point to pay tribute to an outstanding American. I should like to have delayed my remarks until such time as he might be able to hear them personally in the gallery, but he is presently testifying before an important committee on an extremely vital measure; namely, the extension of the Voting Rights Act of 1965; so he cannot be here at this moment to hear what I have to say.

However, knowing that this is the time set aside for me and others to speak on this subject, I shall go ahead as planned.

Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, each year the National Association for the Advancement of Colored People selects a particular outstanding Negro American to receive the Spingarn Medal, an award instituted in 1914, to recognize distinguished merit or achievement during the year or years preceding.

Last week, at the NAACP Convention in Jackson, Miss., the 1969 medal was awarded to a Marylander, a distinguished son of the Free State, Clarence M. Mitchell, Jr.

The award message reads as follows:

For his selfless devotion to the task of ending racial bias;

For his uncompromising rejection of racism, white or black;

For his wisdom and tenacity in the pursuit of just laws;

For his abiding faith in the democratic process as a means of achieving freedom and equality for all; and

For the pivotal role he has played in enactment of civil rights legislation, particularly the Civil Rights Act of 1968, with its fair housing title.

Mr. President, I have this morning received a telegram from Andrew J. Biemiller, director of legislation for the AFL–CIO, which reads as follows:

JULY 10, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senate
Washington, D.C.

The AFL–CIO is proud to join you in honoring Clarence Mitchell as recipient of the coveted Spingarn Medal. During our long relationship with Mr. Mitchell, he has earned our deepest respect and admiration for his courage and integrity.

Clarence Mitchell, by his words and his actions, has proved that civil rights victories can be won through the democratic system. As Director of the Washington Bureau of the NAACP, he has been a leader of the continuing battle for social justice.

The AFL–CIO has worked closely with Clarence Mitchell on Capitol Hill and through the executive agencies of the Federal government. We know full well the crucial role he has played in securing enactment of the major civil rights laws passed during the 1960s. We know, too, of his continuing efforts to see that the intent of these laws is upheld.

No one is more entitled to the Spingarn Medal. The AFL–CIO is pleased to join in saluting our good friend and respected ally, Clarence Mitchell.

ANDREW J. BIEMILLER,
Director of Legislation,
AFL–CIO.

Mr. MATHIAS. Mr. President, it is a privilege to join in congratulating my good friend and fellow Marylander, Clarence M. Mitchell, who was recently honored by the National Association for the Advancement of Colored People as the 54th recipient of the Spingarn Medal.

This award pays tribute to Clarence Mitchell for his service and his accomplishments not just during the past year, but throughout the more than two decades which he has devoted to the cause of equal rights and peaceful progress under law.

In these days of turmoil, shouting, and disruption, it is more important than ever to pay tribute to the men and women who have labored quietly, patiently and effectively within the democratic process and the legislative halls to secure in law and in fact those rights and liberties pledged to all Americans in the Constitution. Clarence Mitchell is one such man. Impelled by deep conviction and sustained by remarkable energy and faith, he has been as instrumental as any single man in conceiving, shaping and gaining passage of some of the most important legislation of this century.

The Civil Rights Act of 1957, the Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Civil Rights Act of 1968 are commonly called landmarks in our national drive toward social justice. None of these laws bears Clarence Mitchell's name, but all of them bear his mark. And it is a real tribute to the man that he has made this mark with dignity, with honesty, with the kind of personal integrity which is recognized even by those who may not always share his views.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield to the Senator from Pennsylvania.

Mr. SCOTT. I should like to join in the remarks of the distinguished Senator from Maryland, and say that we are all very much pleased, and we are all honored, too, by the honor extended to Mr. Clarence Mitchell in the award of the very much coveted Spingarn Medal, which is not awarded lightly, and which carries with it the attributes of dedication, devotion to a cause, willingness and competence to follow through to the achievement of difficult ends, and recognition that there is no higher challenge to a human being than to strive continually to improve the estate of man and the dignity of humankind.

And in this our friend, Clarence Mitchell, has established himself not only as a man, but also as a standard around whom others, from conscience and conviction can share his views and his recognition of formidable challenges.

In recognizing him as a standard, we honor ourselves as well as the causes to which we commit ourselves. It is a great pleasure to be able to join in the tribute with the distinguished Senator from Maryland.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

Issued July 16, 1969
For actions of July 15, 1969
91st 1st No. 117

CONTENTS

Appalachia.....1,46
Appropriations.....50
Atomic energy.....53
Building trades.....10
Census.....5,28
Chemical warfare.....15
Child safety.....4
Conservation.....40
Consumer protection.....11
Cotton insects.....17
Credit unions.....2
Disaster relief.....3
Education.....29
Environment.....42
Environmental pollution.53
Expenditures.....26
Farm program.....23
Fish inspection.....11
Food additives.....19
Foods.....53
Food stamps.....24
Foreign trade.....18
Forestry.....41
Housing.....9,21,33,45
Housing safety.....45
Hunger.....8,24
Information.....36
Interest rates.....7
Lands.....21,51
Mexican-American affairs.....44
Marketing.....37
Military service.....34
National seashore.....51
Nutrition.....43
Parkway.....31
Pay comparability.....39
Personnel.....39,47
Pesticides.....17
Pollution.....22
Population.....32,35
Potatoes.....49
Poverty.....12
Price supports.....20
Recreation.....16,30,51
Regional development.....1
Research.....35,52
Rural education.....29
Safety.....10,45
Saline water.....52
Sugar.....38
Surplus property.....27
Taxation.....6,14
Textiles.....18
Timber yield.....41
Water pollution.....13,48
Wildlife.....25

HIGHLIGHTS: House passed Appalachia and economic development bill.

HOUSE

1. REGIONAL DEVELOPMENT. Passed, 273-103, with amendment H. R. 4018, to amend and extend for 2 years (through June 1971) the Appalachian Regional Development Act of 1965 and title V of the Public Works and Economic Development Act of 1965 (pp. H5906-29). Agreed to an amendment by Rep. McEwen to direct the President to make a study of whether additional areas should be included under the Appalachian Act and to report his recommendations to Congress by June 1970 (pp. H5924-5). The McEwen amendment was a substitute for an amendment by Rep. Cleveland which would actually have extended the Act to additional areas (pp. H5924-5). The House then passed S. 1072, a similar bill which had been passed by the Senate, with the language of the House bill substituted therefor (pp. H5926-9). House conferees were appointed (p. H5929). Senate conferees have not been appointed.

2. CREDIT UNIONS. The Rules Committee reported a resolution for consideration of H. R. 2, to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions. p. H5978

3. DISASTER RELIEF. Conferees were appointed on H. R. 6508, the Calif. disaster relief bill. Senate conferees have not been appointed. p. H5930

4. CHILD SAFETY. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) H. R. 7621, proposed Child Protection Act of 1969. p. D630

5. CENSUS. A subcommittee of the Post Office and Civil Service Committee approved for full committee action H. R. 12825, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census. p. D631

6. TAXATION. Several Representatives recommended tax reform. pp. H5937-9, H5948-9, H5963-4

7. INTEREST RATES. Rep. Patman criticized the administration's "inaction" on interest rates and inserted a list of prime rate increases as they have occurred beginning Dec. 2, 1968 and continuing until June 9. pp. H5941-6

8. HUNGER. Rep. Farbstein criticized USDA's administration of the free food program and urged the State governors to take the initiative to eliminate hunger and malnutrition by securing better cooperation from the counties in their States. pp. H5972-6

9. HOUSING. Received from HUD a proposed bill to amend and extend laws relating to housing and urban development; to the Banking and Currency Committee. p. H5977

and $50,000,000 for the fiscal year ending June 30, 1970."

SEC. 304. (a) Subsection (a) of section 401 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161) is amended by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and the following:

"(6) those areas selected for assistance under part D of title I of the Economic Opportunity Act of 1964."

(b) Subsection (b)(3) of such section 401 is amended by inserting after "(a)(3)" the following: "or (a)(6)".

(c) Subsection (b)(4) of such section 401 is amended by striking out "and (a)(4)" and inserting in lieu thereof the following: "(a)(4) and (a)(6)".

AMENDMENT OFFERED BY MR. JONES OF ALABAMA

Mr. JONES of Alabama. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Alabama: Strike out all after the enacting clause of S. 1072 and insert in lieu thereof the provisions of H.R. 4018, as passed, as follows:

"TITLE I—AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

"SEC. 101. This title may be cited as the "Regional Action Planning Commission Amendments of 1969".

"SEC. 102. (a) The second sentence of subsection (a) of section 505 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3185) is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'and planning, investigations, studies, demonstration projects, and training programs which will further the purposes of this Act.'

"(b) The second sentence of subsection (b) of section 505 of such Act is amended to read as follows: 'Thereafter, such expenses shall be paid 50 per centum by the Federal Government and 50 per centum by the States in the region, except that the administrative expenses of the Federal cochairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal cochairman shall not participate or vote in such determination.'

"(c) Subsection (c) of section 505 of such Act is repealed.

"SEC. 103. (a) The first sentence of subsection (a) of setcion 509 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3188a) is amended (1) by inserting after 'share,' the following: 'or for which there are insufficient funds available under the Federal grant-in-aid Act authorizing such programs to meet pressing needs of the region,', and (2) by striking out 'for the sole' and inserting in lieu thereof the following: 'for all or any portion of the basic Federal contribution to projects under such Federal grant-in-aid programs authorized by Federal grant-in-aid Acts, and for the'.

"(b) The next to the last sentence of subsection (a) of section 509 of such Act is amended to read as follows: 'In the case, of any program or project for which all or any portion of the basic Federal contribution to the project under a Federal grant-in-aid program is proposed to be made under this subsection, no such Federal contribution shall be made until the responsible Federal official administering the Federal grant-in-aid Act authorizing such contribution certifies that such program or project meets all of the requirements of such Federal grant-in-aid Act and would be approved for Federal contribution under such Act if funds were available under such Act for such program or project. Funds may be provided for programs and projects in a State under this subsection only if the Commission determines that the level of Federal and State financial assistance under titles of this Act other than this title, and under Acts other than this Act, for the same type of programs or projects in that portion of the State within the region will not be diminished in order to substitute funds authorized by this subsection.'

"(c) Subsection (c) of section 509 of such Act is amended by striking out in the first sentence thereof 'December 31, 1967' and inserting in lieu thereof 'December 31, 1970.'

"(d) Subsection (d) of section 509 of such Act is amended to read as follows:

"'(d) There is authorized to be appropriated to the Secretary to carry out this title, for the two-fiscal-year period ending June 30, 1971, to be available until expended, not to exceed $225,000,000. Not less than 10 per centum nor more than 30 per centum of the amounts appropriated under this authorization for any fiscal year shall be made available for any one regional commission.'

"SEC. 104. Title V of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3181 et seq.) is amended by adding at the end thereof the following new section:

"'COORDINATION

"'SEC. 511. The Secretary shall coordinate his activities in making grants and loans under titles I and II of this Act with those of each of the Federal cochairmen in making grants under this title, and each Federal cochairman shall coordinate his activities in making grants under this title with those of the Secretary in making grants and loans under titles I and II of this Act.'

"TITLE II—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1969

"SEC. 201. This title may be cited as the 'Appalachian Regional Development Act Amendments of 1969'.

"SEC. 202. Subsection (b) of section 105 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 105) is amended to read as follows:

"'(b) To carry out this section there is hereby authorized to be appropriated to the Commission to be available until expended, not to exceed $1,900,000 for the two-fiscal-year period ending June 30, 1971. Not to exceed $475,000 of such authorization shall be available for the expenses of the Federal cochairman, his alternate, and his staff.'

"SEC. 203. (a) The second sentence of section 201(a) of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 201) is amended to read as follows: 'The provisions of sections 106(a) and 118 of title 23, United States Code, relating to the obligation, period of availability, and expenditure of Federal-aid highway funds shall apply to the development highway system and the local access roads, and all other provisions of such title 23 that are applicable to the construction and maintenance of Federal-aid primary and secondary highways and which the Secretary determines are not inconsistent with this Act shall apply, respectively, to such system and roads.'

"(b) Subsection (g) of section 201 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 201) is amended by striking out 'four-fiscal-year period ending June 30, 1971.' and inserting in lieu thereof 'five-fiscal-year period ending June 30, 1972, except that not to exceed $195,000,000 of such amount may be obligated for any one such fiscal year.'

"SEC. 204. (a) The first sentence of clause (2) of subsection (a) of section 205 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 205) is amended by striking out 'in accordance with the' and inserting in lieu thereof 'or to make grants to the States for carrying out such projects, in accordance with the applicable'.

"(b) Subsection (b) of such section 205 is amended by striking out 'and 1969' and inserting in lieu thereof '1969, 1970, and 1971'.

"SEC. 205. Subsection (c) of section 214 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 214) is amended by striking out 'December 31, 1967' in the first sentence thereof and inserting in lieu thereof 'December 31, 1970'.

"SEC. 206. Section 302(a)(1)(B) of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 302) is amended by inserting before 'a local' the following: 'a State agency certified as'.

"SEC. 207. Section 401 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 401) is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'and not to exceed $250,000,000 for the two-fiscal-year period ending June 30, 1971, to carry out this Act, of which amount not to exceed $85,000,000 is authorized for section 202, $15,000,000 for section 203, $15,000,000 for section 205, $2,000,000 for section 207, $50,000,000 for section 211, $75,000,000 for section 214, and $8,000,000 for section 302.'.

"SEC. 208. Section 403 of the Appalachian Regional Development Act of 1965 (48 App. U.S.C. 403) is amended by adding at the end thereof the following:

"'The President is authorized and directed to make a study of the extent to which portions of upper New York State, Massachusetts, Vermont, New Hampshire, and Maine which are geographically part of the Appalachian region and share the social and economic characteristics thereof should be included in the region in order to carry out the purposes of this Act. He shall submit the results of such study together with his recommendations to Congress no later than June 30, 1970.'

"SEC. 209. Section 405 of the Appalachian Regional Development Act of 1965 (40 App. U.S.C. 405) is amended by inserting immediately after 'Act' the following: ', other than section 201,'".

"Amend the title so as to read 'An act to provide for the renewal and extension of title V of the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965.'"

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the renewal and extension of title V of the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4018) was laid on the table.

APPOINTMENT OF CONFEREES ON S. 1072, APPALACHIAN AND REGIONAL ACTION PLANNING COMMISSIONS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1072) to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and titles I, III, IV, and V of the Public Works and Economic Development Act of 1965, as amended, with a House amendment thereto, insist upon the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: Messrs. JONES of Alabama, BLATNIK, WRIGHT, EDMONDSON, CRAMER, HARSHA, and CLEVELAND.

APPOINTMENT OF CONFEREES ON H.R. 6508, CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and appoints the following conferees: Messrs. JOHNSON of California, WRIGHT, EDMONDSON, CRAMER, DON H. CLAUSEN, and DENNEY.

ADAIR CALLS FOR POSITIVE RESPONSE FROM HANOI

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, I rise today as one who wants to see President Nixon succeed in his valiant effort to bring the Vietnam war to an honorable conclusion, so that we may have a lasting peace in Southeast Asia.

Prior to the inauguration of President Nixon on January 20, our Government had taken the initiative in the pursuit of peace by halting the bombing of North Vietnam. Also, it agreed to sit down at the conference table with the NLF, as well as the governments of Hanoi and Saigon.

Under President Nixon, we have remained at the table and refrained from resumption of the bombing, although Hanoi has shelled major cities in South Vietnam, violated the demilitarized zone, and refused to deal with the Saigon government.

President Thieu has cooperated with us in the search for peace. On March 25 he made a significant offer to meet with the NLF for private talks without preconditions on a political settlement.

On May 14, with Thieu's support, President Nixon issued an eight-point plan for peace. It renounced reliance on a military solution, offered to withdraw U.S. and allied forces within 12 months under international guarantees, and emphasized our desire to secure the right of the South Vietnam people to determine their future without outside interference.

On June 8, the President announced plans for the withdrawal of 25,000 U.S. combat troops, and indicated that further withdrawals would be announced later.

At Midway, both Presidents declared their readiness to accept any political outcome arrived at through free elections.

And in recent days, President Thieu has offered a concrete program by which free elections can be held and the will of the South Vietnamese people can be determined. He has walked the last mile.

As President Nixon said in his statement praising President Thieu's proposals:

> If the other side genuinely wants peace, it now has a comprehensive set of offers which permit a fair and reasonable settlement. If it approaches us in this spirit, it will find us reasonable. Hanoi has nothing to gain by waiting.

These steps toward peace have been taken by President Nixon in the short period of less than 6 months since he was inaugurated. We should applaud his positive efforts, which deserve an affirmative response from the other side. However, instead of meeting our offers with counter offers and beginning serious negotiations, the Communists have responded negatively or not at all.

Despite the lack of response by the other side, some Americans have responded to each initiative of our President with a call for more and more concessions to Hanoi. Why not support the President's peace initiative by calling upon the other side for reciprocal action? Why pressure our own people for more and more concessions? We know that propaganda is at least half the battle in a war such as that in Southeast Asia. We know that our every quote may be used or misused by the Communists to demonstrate to those they seek to dominate that they—the Communists—will prevail.

I believe that all of us want this war to end—honorably. We want it to end on a basis that will not encourage future Vietnams in Southeast Asia or elsewhere. I am sure that it will end on that basis if all of us will—as I said in a speech to this House on June 5—"demonstrate a national unity, so that Hanoi will negotiate seriously in Paris instead of prolonging the war and the killing in the hope that its propaganda battle in the front lines of America will bring them the victory they could not win against American and South Vietnamese boys in Vietnam."

My colleagues, it is time for Hanoi to respond—positively—to our proposals. If it will so respond, this war can be brought to a close on honorable terms. Each of us who cherishes that goal should support our President and call upon Hanoi and the Vietcong to demonstrate their desire for peace. Such national unity, I am convinced, will bring this war to a speedy and honorable conclusion.

ATTACK ON THE CRIME PROBLEM IN THE DISTRICT OF COLUMBIA

(Mr. NELSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. NELSEN. Mr. Speaker, I am pleased to join with our distinguished minority leader, and Mr. MCCLORY, together with all the minority members of our House District of Columbia Committee, in introducing today three bills which have been sent to the Congress by the Justice Department representing part of President Nixon's program for a broad attack on the crime problem in the District of Columbia. We have not yet had the opportunity to carefully study these proposals in detail, but since they would make significant changes in the law enforcement and court procedures in the District of Columbia, they are being introduced at this point so that they may be referred to committee and subjected to study and hearings at the earliest possible date.

The first of these bills would provide for a reorganization of the courts of the District of Columbia. The second would establish a public defender service for the District of Columbia and the third would amend the District of Columbia Bail Agency Act. I include at this point in my remarks summary statements prepared by the Justice Department explaining the provisions of these proposals:

SUMMARY OF PROPOSED DISTRICT OF COLUMBIA COURT REORGANIZATION ACT OF 1969

The proposed District of Columbia Court Reorganization Act of 1969 is a comprehensive bill restructuring the District of Columbia Courts, transferring jurisdiction from the Federal courts in the District to the District of Columbia Courts, revising the District's code of criminal procedure, and making conforming changes throughout the District of Columbia Code. It consists of six titles, described in detail below.

TITLE I

The first title of the bill is comprised of a revision and reenactment of title 11 of the D.C. Code and certain transitional sections relating to the personnel and property of the present D.C. courts.

Section 101, the revision of title 11 of the D.C. Code, would substantially reorganize the court systems in the District of Columbia. It is designed to establish, in gradual stages, federal and local court systems which would be analogous to the systems existing in the States. Thus, the federal courts would ultimately have only federal jurisdiction, with all local jurisdiction vested in the District of Columbia courts. However, the U.S. Attorney and U.S. Marshal would continue to serve both federal and local courts.

The present Court of General Sessions, Juvenile Court and D.C. Tax Court would be consolidated and upgraded into a single Superior Court of expanded jurisdiction which would be the trial court for the District. The present Court of Appeals would continue to hear appeals from the local trial court and would become the highest appellate court for local matters in the District, equivalent to the highest court of a State.

Chapter 1 describes the federal and local courts in the District and equates the D.C. Court of Appeals with the highest court of a State.

Chapter 3 preserves the jurisdiction of the U.S. Court of Appeals for the District of Columbia Circuit over appeals from the D.C. Court of Appeals which are pending or may still be filed on the effective date of the Act or which involve federal misdemeanors tried in the D.C. court. It provides for the continued publication of the U.S. App. D.C. reports for so long as the court retains substantial local appellate jurisdiction.

Chapter 5 preserves the federal jurisdiction of the District Court. It gradually diminishes local civil jurisdiction, some being transferred to the Superior Court on the effective date of the Act, and the remainder in two subsequent stages. Local criminal jurisdiction is also transferred gradually, in two stages.

Provisions relating to employees of the District Court, except the auditor, have been omitted since they are covered by provisions applicable generally to federal courts.

Chapter 7 provides a nine-member D.C. Court of Appeals and continues the provisions for three-judge divisions and in banc hearings. The Court would hear all appeals from the Superior Court, appeals from administrative decisions as provided in the 1968 D.C. Administrative Procedure Act and all appeals from orders and decisions of the D.C. Public Service Commission. The Court would be authorized to hear interlocutory appeals from the Superior Court including

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CONTENTS

Animal quarantine.....30
Appalachia.....4
Appropriations.....18
Budget.....9
CCC.....15
Citrus groves.....26
Coffee.....14
Credit unions.....25
Disaster relief.....3
Education.....9
Employment.....10,26
Erosion.....33
Farm program.....20
Fees and Charges.....28
Flood control.....6
Foreign trade.....24,27
Hunger.....8
Legislative program.....17
Marketing.....29
Military construction...15
Older Americans.....2
Opinion poll.....23
Patents.....35
Peace corps.....16
Personnel.....5,12
Personnel ceilings.....5
Pesticides.....10
Population.....31
Postage.....34
PPB system.....9
Product safety.....36
Publications.....34
Recreation.....7,22,28
Reorganization.....21,32
River compact.....37
Small business.....18
Taxation.....11,13,17,26
Water resources.....9
Wilderness.....1

HIGHLIGHTS: Senate agreed to House amendment to Ventana, Calif. wilderness bill. House Rules Committee cleared tax reform bill. Reps. Obey and Mikva introduced and discussed bill to transfer DDT program to Interior Dept.

SENATE

1. WILDERNESS. Concurred in House amendment to S. 714, to designate the Ventana Wilderness, Los Padres National Forest, Calif. This bill will now be sent to the President. p. S9233

2. OLDER AMERICANS. The Labor and Public Welfare Committee reported with amendments H. R. 11235, to extend the duration of the grant programs of the Older Americans Act; to authorize a national older Americans volunteer program; to provide assistance to strengthen State agencies on aging and community projects; and to authorize areawide model projects (S. Rept. 91-240). p. S9121

3. DISASTER RELIEF. Conferees were appointed on H. R. 6508, the Calif. disaster relief bill. House conferees have been appointed. p. S9233

4. APPALACHIA. Sen. Dole was designated as a Senate conferee, in lieu of Sen. Packwood, on S. 1072, to authorize funds for Appalachian regional development. p. S9233

5. PERSONNEL CEILING. Sen. Williams, Del., stated that within 30 days after the repeal of controls over Federal employment "employment was back to its second highest level," and inserted a table showing increases during the month of June. pp. S9100-1

6. FLOOD CONTROL. Received a Calif. Legislature resolution asking Congress to "make an appropriation for the purpose of allowing the U. S. Army Corps of Engineers to make an immediate study of the foothill area between the Kings River and the San Joaquin River, which study will include the need for flood control projects."

7. RECREATION. Sen. Yarborough inserted a resolution in support of the establishment of the Big Thicket National Park. p. S9157

8. HUNGER. Sen. Yarborough inserted a Progressive Farmer magazine article, "All-Out Effort Under Way To Banish Hunger and Malnutrition." pp. S9160-61

9. BUDGET. Sen. Proxmire stated the planning-programming-budgeting system being developed by the executive branch has "enormous potentials for improving the allocation of Government expenditures and encouraging efficiency in Government." He inserted an excerpt from a GAO report on the PPB system. pp. S9187-92

Sen. Yarborough stated that "news of a $3.1 billion budget surplus coincides with complaints.. from school districts about the belated payment" of education funds. p. S9163

Sen. Proxmire stated that the minimum rate designated in the Budget Bureau circular to all executive agencies requiring consistent and improved discounting procedures "is too low," and that he is encouraged to learn from Director Mayo that the Bureau "is requesting the use of higher rates of interest in the evaluation of activities other than those under the jurisdiction of the Water Resources Council." pp. S9167-68

ruler, has bypassed our normal diplomatic channels and has even chosen a sympathetic emissary to "represent" this nation in the release of three POWs.

In '67, a character named Thomas E. Hayden was one of seven Americans who collaborated with the Reds in effecting release of three U.S. soldiers imprisoned by the Viet Cong. And currently, David Tyre Dellinger, 53-year-old ex-jailbird and self-styled "pacifist," has been chosen by Ho Chi Minh to expedite the return of two Air Force pilots and a Navy man taken prisoner by the Communists.

Using GIs as pawns, the North Vietnam Red leader has dignified the anti-war rantings of Dellinger and given his National Mobilization Committee to End the Vietnam War an undeserved plug. There can be little doubt that government officials would even consort with the devil to aid the release of American POWs. But the Hanoi Communists have set up a pattern that ridicules our established diplomatic methods of handling POW cases under international treaties.

We have opened the door for the Communists to retrurn our men in dribbles at their convenience under the supervision of U.S. radicals on intimate footing with the Red enemy. The North Vietnamese and Viet Cong have captured 345 American service men (known POWs), and may hold an undetermined number of 980 others officially listed as missing.

The United States, South Vietnam and allies hold 25,000 Communist prisoners, well treated under terms of the Geneva POW conventions.

A peek into the backgrounds of Hayden and Dellinger doesn't enhance their qualifications to act as American emissaries in freeing gallant GIs. Hayden, 30, was born in Detroit, graduating from the University of Michigan and took part in the "rights" movement in Georgia and Mississippi. In '62, he became a prime organizer of the Students for a Democratic Society (later its president) and the principal author of the SDS "Port Huron Statement."

Hayden's affinity for Red-tinged radicals and his tirades against the "sinking and decaying" American social structure landed him in Moscow, Prague, Peking and Hanoi in the mid-'60s. With Dellinger, he was with 40 other Americans who held a week-long conference with Viet Communists in September 1967. He met with his Red buddies in Havanna and Paris. The theme: Condemnation of the U.S.—"the worldwide imperialist aggressor."

Hayden was arrested during the disgraceful Columbia University riot and was grabbed (like Dellinger) by Chicago cops at the Democratic National Convention last August.

It took a fast series of court actions and State Department encouragement to permit Dellinger to travel to Paris on his "Good Samaritan" mission to help our POWs. Dellinger is under federal indictment for his part in the Democratic convention melee, which normally bars a defendant from leaving his home district.

And like Hayden, he's a veteran rabble-rouser on the "peace" and radical circuits. A native of Massachusetts, Dellinger graduated from Yale in '36, tried a year in the divinity school and then took off on more exciting trends. In 1940, his refusal to register for the draft led to his conviction and prison sentence. In '43, he was denied conscientious objector status, and drew another prison term upon conviction of a draft violation. In quick sequence, he visited Hanoi, Moscow, Bratislava, Paris, Prague and Havana in the '60s for conferences with the Communist enemy.

And in July, 1968, Dellinger urged listeners at San Diego State College:

"Burn your draft cards, resist the draft, violate the law, go to jail, disrupt the U.S. government in any way you can to stop this insane war."

Richard Homan, national commander of Veterans of Foreign Wars, blasted Ho Chi Minh's "meddling and peddling" in U.S. affairs and our government's "regrettable" nod to Dellinger as our envoy in the POW matter. Most Americans agree with his vehement protest. Our heroes deserve better "representation."

Mr. MURPHY. Mr. President, it would seem without doubt that Hanoi once again has demonstrated a complete disregard for all humanitarian rules with regard to the treatment of prisoners and is now using the releases for propaganda purposes again.

Mr. COOPER. Mr. President, I commend my friend, the Senator from California, for his remarks about the prisoners of war and their families. The Senator is correct in saying that we become so concerned about all of the aspects of the war in Vietnam that we tend to forget those men who have been captured and are prisoners of war. We tend to forget their families.

I know the efforts that have been made by our Government and by the International Red Cross to reach these prisoners of war. I know that they have been rebuffed.

I noted a few days ago in one of the newspapers—I believe it was in the New York Times—a story concerning an organization composed of wives of prisoners of war in Vietnam. The organization tried to secure information about their husbands and to have better treatment and better sustenance provided for them.

I compliment the Senator on the very humane purpose expressed in his speech today.

Mr. MURPHY. I thank my distinguished friend, the Senator from Kentucky, for his complimentary remarks.

CERTAIN ASSISTANCE TO THE STATE OF CALIFORNIA

Mr. BYRD of West Virginia. Mr. President, at the request of the senior Senator from West Virginia (Mr. RANDOLPH), I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6508.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of West Virginia. On behalf of the Senator from West Virginia (Mr. RANDOLPH), I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAYH, Mr. YOUNG of Ohio, Mr. EAGLETON, Mr. GRAVEL, Mr. BAKER, Mr. DOLE, and Mr. GURNEY conferees on the part of the Senate.

CHANGE OF CONFEREES

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from West Virginia (Mr. RANDOLPH) I wish to state that the Senate conferees on S. 1072 were named on July 17, 1969.

I ask unanimous consent that the Senator from Kansas (Mr. DOLE) be designated as a Senate conferee in lieu of the Senator from Oregon (Mr. PACKWOOD).

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF VENTANA WILDERNESS, LOS PADRES NATIONAL FOREST, CALIF.

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 714.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to designate the Ventana Wilderness, Los Padres National Forest, in the State of California which was to strike out all after the enacting clause, and insert:

That, in accordance with subsections 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Ventana Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Ventana Wilderness—Proposed," dated March 14, 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Ventana Wilderness within and as a part of Los Padres National Forest, comprising an area of approximately ninety-eight thousand acres.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of the Agriculture shall file a map and a legal description of the Ventana Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The Ventana Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 4. The previous classification of the Ventana Primitive Area is hereby abolished.

Mr. BYRD of West Virginia. Mr. President, I have been asked to move that the Senate concur in the amendments of the House, and I so move.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, in accordance with the order entered yesterday I move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, August 6, 1969, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate August 5, 1969:

Diplomatic and Foreign Service

Robert Strausz-Hupé of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Charles T. Cross, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

U.S. Marshal

James T. Lunsford, of Alabama, to be U.S. Marshal for the middle district of Alabama for the term of 4 years, vice William M. Parker, Jr.

Marvin G. Washington, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years, vice Floyd Stevens.

Marshall F. Rousseau, of Texas, to be U.S. marshal for the southern district of Texas for the term of 4 years, vice Marion M. Hale.

Charles S. Guy, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania for the term of 4 years, vice James F. Delaney.

In the Marine Corps

The following-named officers of the Marine Corps for the temporary appointment to the grade of brigadier general:

Charles S. Robertson.
Duane L. Faw.
Mauro J. Padalino.
Edward S. Fris.
Frank C. Lang.
Victor A. Armstrong.
Thomas H. Miller, Jr.
Robert H. Barrow.
Herbert L. Beckington.
Leonard E. Frlbourg.
Robert D. Bohn.
William F. Doehler.

HOUSE

17. DISASTER RELIEF. The "Daily Digest" states "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 6508, proposed Disaster Relief Act of 1969." p. D801

BILLS INTRODUCED

18. VETERANS BENEFITS. S. 2890 by Sen. Church, to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title; to the Labor and Public Welfare Committee. Remarks of author pp. S10443-4.

19. INFORMATION. S. 2893 by Sen. Moss, to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Interior and Insular Affairs Committee. Remarks of author pp S10444-5.

20. ETHICS. S. 2894 by Sen. McIntyre, to authorize the purchase by the Government of securities held by a person nominated by the President to an office of the United States in certain cases where the forced sale of such securities would be unduly disruptive of the market and their retention would create conflict-of-interest problems; to the Banking and Currency Committee. Remarks of author pp. S10445-6.

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COMMITTEE HEARINGS SEPT. 15:
Relationship between administration's welfare and food stamp program, S. Select Committee on Nutrition and Human Needs (Secretary Hardin to testify).
Interior appropriations, S. Appropriations (exec - to markup).
Effects of population growth on natural resources, etc., H. Gov't Operations.
Water bank, H. Merchant Marine and Fisheries.

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House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held at noon on Monday, September 15.

Committee Meetings

REPORT ON FDA CONSUMER PROTECTION OBJECTIVES AND PROGRAMS

Committee on Interstate and Foreign Commerce: Subcommittee on Public Health and Welfare continued hearings on the draft report from the study group on Food and Drug Administration consumer protection objectives and programs. Testimony was heard from Herbert L. Ley, Jr., Commissioner, FDA.

POSTAL RATES

Committee on Post Office and Civil Service: Subcommittee on Postal Rates continued hearings on H.R. 10877 and related bills, proposed postal rate increases. Testimony was heard from representatives of Second Class Mail Publications, Inc.

Hearings continue Monday, September 15.

CONGRESSIONAL SPACE MEDAL

Committee on Science and Astronautics: Subcommittee on Manned Space Flight held a hearing on H.R. 13435, to provide for a Congressional Space Medal. Testimony was heard from Paul G. Dembling, Deputy Associate Administrator and Vice Chairman, NASA.

Joint Committee Meetings

ATOMIC ENERGY LEGISLATION

Joint Committee on Atomic Energy: Committee held hearings on the following bills: H.R. 12697, to extend the AEC's compulsory patent licensing authority; S. 1878 and H.R. 9644, setting penalties for unauthorized dealings in nuclear material and manufacture of atomic weapons; and H.R. 9648, authorizing AEC to levy civil monetary penalties for violations of regulations, order, and license conditions. Testimony was received from Joseph F. Hennessey, General Counsel, Atomic Energy Commission.

Hearings were adjourned subject to call.

DISASTER RELIEF

Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 6508, proposed Disaster Relief Act of 1969.

CONGRESSIONAL PROGRAM AHEAD

Week of September 15–20

(*Committee meetings are open unless otherwise indicated*)

Senate Chamber

On Monday September 15, Senate will continue consideration of S. 2546, military procurement authorizations for fiscal year 1970, the pending amendment to which is McGovern amendment No. 130, reducing by $80 million funds for Air Force research and development, test, and evaluation, and limiting to $20 million funds for such activities in connection with advanced manned strategic aircraft. Majority leader announced that it is hoped that Senate will dispose of this bill by the middle of next week.

Senate Committees

Committee on Agriculture and Forestry: September 17, executive, on committee business, 10 a.m., 324 Old Senate Office Building.

Committee on Appropriations: September 15, subcommittee, executive, to mark up H.R. 12781, fiscal 1970 appropriations for the Department of the Interior and related agencies, 10 a.m., 1223 New Senate Office Building.

September 15, subcommittee, to hold executive hearings on fiscal 1970 budget estimates for the Defense Department, 10 a.m., room S–126, Capitol.

September 17, subcommittee, on H.R. 13763, fiscal 1970 appropriations for the legislative branch, on funds for the west front of the Capitol, 10 a.m., 1223 New Senate Office Building.

Committee on Banking and Currency: September 15, Subcommittee on Housing and Urban Affairs, to continue hearings on S. 2740, authorizing FHA to insure loans financing mobile homes, and on the subject of mobile homes in general, 10 a.m., 5302 New Senate Office Building.

September 16 and 17, Subcommittee on Small Business, to hold hearings on problems of small domestic shoe manufacturers, 10 a.m., 5302 New Senate Office Building.

September 18, open, followed by executive, on the nomination of A. Sydney Herlong, Jr., of Florida, to be a member of the SEC, 10 a.m., to be followed by executive session of Subcommittee on Financial Institutions, to consider S. 2577, to provide additional mortgage credit, both in 5302 New Senate Office Building.

Committee on Commerce: September 17, Subcommittee on Energy, Natural Resources, and the Environment, to hold hearings on S. 2543, to prohibit the shipment in interstate and foreign commerce of horses which are "sored," 10 a.m., 5110 New Senate Office Building.

Committee on the District of Columbia: September 18, to hold hearings on S. 2602, proposed D.C. Public Defender Act of 1969, 10 a.m., 6226 New Senate Office Building.

Committee on Finance: September 15–18, to resume hearings on H.R. 13270, proposed Tax Reform Act of 1969, 10 a.m., 2221 New Senate Office Building.

Committee on Foreign Relations: September 16, to hold hearings on the following nominations: Vincent de Roulet, of New York, to be Ambassador to Jamaica; Joseph S. Farland, of the

District of Columbia, to be Ambassador to Pakistan; William E. Schaufele, Jr., of Ohio, to be Ambassador to Upper Volta; William C. Trueheart, of Florida, to be Ambassador to Nigeria; John Patrick Walsh, of Illinois, to be Ambassador to Kuwait; Joel Bernstein, of Illinois, and Ernest Stern, of the District of Columbia, both to be Assistant Administrators of the Agency for International Development; and Robert H. B. Wade, of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency, 10 a.m., 4221 New Senate Office Building.

Committee on Government Operations: September 15 and 16, to hold hearings on S. 2701, to create a Commission on Population Growth and the American Future, 10 a.m., 3302 New Senate Office Building.

September 16 and 17, Subcommittee on Executive Reorganization, to hold hearings on the capability of the GAO to analyze and audit defense contracts, 10 a.m., Tuesday, in 5110 and Wednesday, in 3302 New Senate Office Building.

September 17, Subcommittee on Intergovernmental Relations, to resume hearings on S. 60, to create a catalog of Federal assistance programs; S. 2035, to authorize consolidation of Federal assistance programs; and S. 2479, proposed Intergovernmental Cooperation Act of 1969, 10 a.m., 6226 New Senate Office Building.

September 18, full committee, to hold hearings on the nomination of Robert F. Keller, to be Assistant Comptroller General of the United States, to be followed by executive session, to consider this nomination and other committee business, 10 a.m., 3302 New Senate Office Building.

Committee on Interior and Insular Affairs: September 17, Subcommittee on Parks and Recreation, on H.R. 11609, to construct an entrance road to Great Smoky Mountains National Park, North Carolina, 10 a.m., 3110 New Senate Office Building.

Committee on the Judiciary: September 15–19, Juvenile Delinquency Subcommittee, to hold hearings on pending bills designed to control the drug problem (S. 1895, 2590, 2637), 10 a.m., 318 Old Senate Office Building.

September 16, full committee, on the nomination of Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court, 10:30 a.m., 2228 New Senate Office Building.

Committee on Labor and Public Welfare: September 16 and 17, Subcommittee on Employment, Manpower, and Poverty, executive, to consider S. 1809, providing funds to extend programs under the Economic Opportunity Act, 10 a.m., 4232 New Senate Office Building.

September 16, Labor Subcommittee, to resume hearings on S. 2453, to further promote equal opportunities for American workers, 9:30 a.m., 4200 New Senate Office Building.

September 17, Labor Subcommittee, on S. 1369 and 1370, relating to construction industry employer contributions to a trust fund, 10 a.m.

September 17, Railroad Retirement Subcommittee, on pending legislation, 10 a.m., 1318 New Senate Office Building.

September 18 and 19, Special Subcommittee on Alcoholism and Narcotics, to resume hearings on S. 2608, providing a coordinated attack on the narcotic addiction and drug abuse problem, 10 a.m., 4232 New Senate Office Building.

Committee on Public Works: September 17 and 18, Subcommittee on Flood Control—Rivers and Harbors, to hold hearings on the following subjects: the need for additional dams in the Potomac River Basin for flood control, water supply, and recreation; the flood problem in the Four Mile Creek Basin in Alandria, Va.; flooding in areas of West Virginia and in the James River Basin, Va., due to hurricane Camille; and the need for flood control improvements in the Souris River in North Dakota, 9:30 a.m., 4200 New Senate Office Building.

Committee on Rules and Administration: September 17, executive, on committee business, 10 a.m., 301 Old Senate Office Building.

Select Committee on Nutrition and Human Needs: September 15, to hold hearings on the relationship between the Administration's proposed welfare program and the food stamp program, to hear Secretary of HEW Finch and Secretary of Agriculture Hardin, 10 a.m., 1202 New Senate Office Building.

House Chamber

Monday, call of the Consent Calendar;

H.J. Res. 81, to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa. (by unanimous consent); and the following suspensions:

H.R. 13194, insured student loan emergency amendments of 1969; and

H.J. Res. 681, proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President (continue consideration under 5-minute rule).

Tuesday and balance of week:

Joint meeting—Apollo 11 astronauts;

Call of the Private Calendar;

H.J. Res. 681, proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President (continue consideration under 5-minute rule);

H.R. 13763, Legislative Branch Appropriation Act for fiscal year 1970; and

H.R. 12549, to provide for the establishment of a Council on Environmental Quality (subject to a rule being granted).

NOTE.—Conference reports may be brought up at any time. Any further program will be announced later.

House Committees

Committee on Agriculture: September 16, to continue hearings on all bills pending before the committee which would extend or amend existing laws on the general farm program, 10 a.m., 1301 Longworth House Office Building.

September 17, Subcommittee on Domestic Marketing and Consumer Relations, executive, to consider H.R. 9857, to amend the Perishable Agricultural Commodities Act, 10 a.m., 1301 Longworth House Office Building.

September 17, Subcommittee on Departmental Operations, executive, to consider H.R. 10236 and related bills, to amend the Federal Seed Act, 10 a.m., 1302 Longworth House Office Building.

Committee on Appropriations: September 15, Subcommittee on Transportation, executive, 10 a.m., H–236, Capitol.

Committee on Armed Services: September 15 and 16, Subcommittee on Sea Power, executive, to hold hearings on strategic materials and military needs for transportation, 10 a.m., 2118 Rayburn House Office Building.

September 15 and 16, Special Subcommittee To Probe Disturbances on Military Bases, executive, 10 a.m., 2212 Rayburn House Office Building.

September 16, Subcommittee on Military Installations, to hear testimony from Department of Defense witnesses, 2 p.m., 2212 Rayburn House Office Building.

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

Issued Sept. 18, 1969
For actions of Sept. 17, 1969
91st-1st No. 149

CONTENTS

Aging.....36
Budget.....35
CCC.....12
Committee assignments....14
Contracts.....26
Consumers.....34
Disaster relief.....1,29
Environment.....16,17
Ethics.....32
Farm program.....19,33
Farm safety.....23
Fisheries.....21,22
Golden eagle.....31
Grazing fees.....18
Foreign aid.....6
Foreign trade.....8
Health.....30
Legislative accomplishments 4
License fees.....2
Marketing.....10,11,27
Military training.....25
Nomination.....12
Pesticides.....17
Pollution.....16,21,28
Potatoes.....10
Public works.....24
Review committees.....11
Sea level canal.....7
Seeds.....3
Shoe imports.....8
Social security.....5
Tax reform.....15
Water resources.....20
Watersheds.....13
Wheat.....9

HIGHLIGHTS: House received conference report on disaster relief bill. House subcommittees approved bills to amend Federal Seed Act and increase license fee under Perishable Agricultural Commodities Act. Senate committee reported Cowden nomination to be member CCC Board of Directors. Senate committee voted to report bills to increase Tulelake wheat acreage, to provide potato research and promotion, potatoes for canning and freezing and to defer issuance of wheat export marketing certificates.

HOUSE

1. DISASTER RELIEF. Received the conference report on H. R. 6508, an Act to provide additional assistance for the reconstruction of areas damaged by major disasters (H. Rept. 91-495) (pp. H8006-10, H8098). The provisions of the conference committee substitute are as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

The first section of the conference substitute is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the conference substitute authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. These funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Subsections (a) and (b) of section 3 of the conference substitute are the same as the provisions of section 3(a) of the House bill extended, however, to cover all States affected by a major disaster.

Section 3(c) of the conference substitute is essentially the same as section 3(c) of the House bill, except that the reduction from 30 to 7 days of the minimum time required to advertise the sale of national forest timber in the affected area can also take effect if the Secretary determines that the sale of the timber is necessary to salvage the value of timber damaged in the major disaster or to protect undamaged timber.

Section 3(d) of the conference substitute authorizes the President, to the extent he determines it to be in the public interest and acting through the Director of OEP, to make grants to States or political subdivisions for the purpose of removing from privately owned land timber damaged as a result of a major disaster and in turn the State is authorized to make payments to persons for reimbursement of expenses actually incurred by that person in the removal of damaged timber but such payments are not to exceed the amount that removal expenses actually exceed the salvaged value of the timber.

The salvage and cleanup of timber damaged by hurricanes or other diasters is necessary to reduce or prevent further losses from insects, fire, disease, or other causes and to facilitate the restoration of the land to a productive condition. Removal of downed and damaged timber in stream actually incurred in the removal of damaged of debris in water courses is also necessary. Therefore, the conferees have agreed to the inclusion of the provisions of section 3(c)(3) and section 3(d) in this conference substitute. The grants authorized by section 3(d) are to be made for payment of expenses actually incurred in the removal of damaged timber with the limitation that these removal expenses are to be offset by the salvage value of the timber. Thus, the owner of the timber would normally salvage what he could and then apply for the difference between what he received for such salvaged timber and his actual cleanup costs to the extent such costs exceed the salvage value. If, however, the owner decided to burn or otherwise dispose of the damaged timber instead of salvaging it, his entitlement under this provision would still be limited to the difference between what he would have received if he had salvaged the timber and his actual cleanup costs to the extent such costs exceed the value of the timber if it had been salvaged.

In the administration of this provision it is the expectation of the conferees that the following guidelines, among others, would be considered:

1. A comprehensive action plan should be prepared by the State to tailor the cleanup and timber salvage operation to fit the specific situation.
2. Priorities for fund allotment should be established to guide efforts to areas where damage and pest and wildfire hazards are concentrated.
3. Approved practices and a scale of acceptable unit costs (per acre or otherwise) should be established.
4. Preexpenditure examinations of the land to be treated should be made by a qualified representative of the State to insure explanation and approval of work to be done.
5. The landowner should either show evidence of a bona fide attempt to salvage the timber through commercial timber sales or otherwise, or in the case where such timber is not to be salvaged, the salvage value of such timber should be established through an approved method for making that determination.
6. Claims for reimbursement should be verified before payment by on-the-ground, postcleanup inspection by a representative of the affected State or political subdivision.
7. States should be able to use grant funds to help organize, equip, and train work crews if necessary to expedite salvage and cleanup operations and to provide the technical assistance necessary to assist landowners in their cleanup and salvage efforts.
8. The establishment of appropriate limitations with respect to these grants which shall be based, among other factors, upon the financial capacity of the person suffering such damage to sustain such damage.

Section 4 of the conference substitute authorizes the Secretary of the Interior to give any public land entryman additional time to comply with requirements of law in connection with a public land entry in any State affected by a major disaster if the Secretary finds that because of such major disaster the entryman was unable to comply with such requirement.

Section 5 of the conference substitute is the same as section 5 of the House bill.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b)(1) of the Small Business Act the Small Business Administration to the extent the loss or damage is not compensated for by insurance or otherwise would, at the borrower's option, be required to cancel up to $1,800 of interest, principal, or any combination thereof, and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of one per centum and (B) any such loan would not be eligible for cancellation or deferral as

otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

The conferees do not intend, however, in the case of any refinancing loan made under paragraph (3) of this section to permit a cancellation or deferral as authorized in paragraph (1) of this section if the loan being refinanced was originally made under paragraph (1) and a portion of such loan already was canceled in accordance with such paragraph. Thus, no borrower shall be entitled to cancellation under paragraph (1) in the case of any refinancing loan made under paragraph (3) if he already received cancellation under paragraph (1) with respect to any loan being refinanced. This would not prohibit, however, a person from receiving two such cancellations if each such cancellation was the result of damage or destruction from a different disaster.

Although there is no statutory limitation in the Small Business Act at the present time with respect to disaster loans, the SBA has imposed administratively limitations of $30,000 in the case of a home and $100,000 in the case of a business. After examination of this problem the conferees are strongly of the opinion that these limitations are presently unrealistic and should be administratively withdrawn and either not replaced with dollar limits of general applicability or if dollar limitations of general applicability are reimposed that they be made more realistic. Failure of the agency to do this should, in the estimation of the conferees, result in a statutory solution being imposed by Congress.

The Small Business Act does not prohibit loans to owners of secondary homes damaged or destroyed in a major disaster. It is, however, the policy of the Small Business Administration to restrict their loans to primary homeowners. Therefore, there is no need to change present law to allow loans for secondary homes, and no language for such purpose is included in this conference substitute. It is the intention of the conferees that this policy of SBA be revised to permit loans to be made to owners of secondary homes destroyed or damaged by a major disaster.

Section 7 of the conference substitute authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 8 of the conference substitute is essentially the same as section 4 of the Senate amendment with two changes. First, the State program for assistance must include a provision for appointment of a State coordinating officer to cooperate with the Federal coordinating officer required by section 9 of the conference substitute. It is the intention of the conferees that this requirement can be fulfilled through the use of existing State officials and does not necessarily require the creation of any new or additional positions. The second such change is that in lieu of requiring the President to make certain reports to the Congress he is authorized to do so from time to time thus granting the President greater flexibility in carrying out these requirements.

Section 9 of the conference substitute requires the President, immediately upon his designating an area as a major disaster area, to appoint a Federal coordinating officer who shall be responsible for coordinating all Federal disaster relief and assistance and who shall be required to establish field offices to the extent necessary for the rapid and efficient administration of Federal disaster relief programs and otherwise to assist local citizens and State and public officials in obtaining the assistance to which they are entitled under the laws of the United States as promptly as is possible. This Federal coordinating officer is to operate under the OEP. It is the intention of the conferees that whenever possible the designation of this officer shall be made from among existing Federal officers and employees and shall not be deemed to require the appointment of new or additional personnel.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by (1) using unoccupied housing owned by the United States, (2) arranging for the use of unoccupied public housing, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) in excess of 25 percent of the individual's or family's monthly income.

Section 11 of the conference substitute is the same as section 6 of the Senate amendment.

Section 12 of the conference substitute is essentially the same as section 7 of the Senate amendment with clarification to insure that the assistance the President is authorized to provide to an individual unemployed as a result of a major disaster is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an individual under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 13 of the conference substitute is essentially the same as section 9 of the Senate amendment.

Section 14 of the conference substitute is an amalgamation of the provisions of sections 8 and 10 of the Senate amendment and authorizes the President whenever he determines it to be in the public interest and acting through OEP to make grants to a State or political subdivision for removing

debris deposited on privately owned lands and in or on privately owned waters as a result of a major disaster. The State or political subdivision is authorized to make payments to persons for reimbursement for expenses actually incurred by such persons for the removal of such debris except that such payments are not to exceed the amount that the removal expenses exceed the salvage value of the debris.

The application of this provision with respect to grants for the removal of debris from privately owned lands and waters is comparable to the provisions for grants for the removal of timber from privately owned lands authorized in section 3(d) of the conference substitute, and it is the intention of the conferees that the general terms, conditions, limitations, and guidelines which are referred to in the discussion in this statement of section 3(b) shall, to the extent that they are applicable, also apply to the administration of this provision. In his determination of what is in the public interest for the purposes of this section, it is the intention of the conferees that in addition to the usual concepts of health, welfare and safety, the President take into consideration the economic recovery of the affected communities.

Section 15(a) of the conference substitute defines a major disaster as one which has been determined by the President pursuant to the act of September 30, 1950, as amended (42 U.S.C. 1855–1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Section 15(b) of the conference substitute provides that except for sections 5, 8, 9, and 13, which will be permanent, the remainder of the act will not be in effect after December 31, 1970, except to the extent necessary to apply these provisions to major disasters occurring before that date.

In providing for a limited application of this bill the conferees agreed that prior to the expiration date established in this bill of December 31, 1970, the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will be of undoubted value in making the determination of the type and content of permanent legislation.

Section 16 of the conference substitute provides a short title which is the same as that in the first section of the Senate amendment.

ROBERT E. JONES,
HAROLD T. JOHNSON,
JIM WRIGHT,
ED EDMONDSON,
WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,
Managers on the Part of the House.

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2. LICENSE FEES. A subcommittee of the Agriculture Committee approved for full committee consideration H. R. 9857, to amend the Perishable Agricultural Commodities Act to authorize an increase in license fees. p. D824

3. SEEDS. A subcommittee of the Agriculture Committee approved for full committee consideration S. 1836, to amend the Federal Seed Act to authorize the Department to approve standards and procedures for certification. p. D824

4. LEGISLATIVE ACCOMPLISHMENTS. Reps. Meeds and Albert answered the charge that this is a "do-nothing 91st Congress" by pointing out that the House passed the proposed Tax Reform Act of 1969 which was "solely the property and the product" of the Ways and Means Committee. pp. H7982, H8090

5. SOCIAL SECURITY. Rep. Vanik charged that the Administration's recommended 10-percent increase in social security benefits is "too little and too late." p. H7982

6. FOREIGN AID. Rep. Saylor spoke in support of "any move that would prohibit the appropriation of any funds for foreign aid for the current fiscal year." pp. H8088-9

7. SEA-LEVEL CANAL. Rep. Flood inserted his letter to the editor of the Star critical of an article which "distorted" the position of Congress regarding an Atlantic-Pacific Interoceanic Canal. pp. H8091-2

91st Congress, 1st Session | HOUSE OF REPRESENTATIVES | Report No. 91-495

DISASTER RELIEF ACT OF 1969

SEPTEMBER 17, 1969.—Ordered to be printed

Mr. JONES of Alabama, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 6508]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

SEC. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 per centum of all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of

a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the reconstruction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89-689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinanee any mortgage or other liens outstanding against the destroyed or damaged property if sueh financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a resutt of such disaster and any sueh refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Aet of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in any affected State resulting from a major disaster the Seeretary of Agriculture—

(1) to the extent such loss or damage is not eompensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or prineipal except that the total amount so eaneelled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replaeement of property damaged or destroyed, without regard to whether the required financial assistanze is otherwise availtable from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replaeement of property damaged or destroyed as a result of such disaster and any such refinaneing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster.

For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(b) The President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SEC. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinating officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

SEC. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such au-

thority as may be designated by the President, had occupied a dwelling, as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

SEC. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

SEC. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

SEC. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

SEC. 14. The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris.

SEC. 15. (a) As used in this Act the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970.

(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date.

Sec. 16. This Act may be cited as the "Disaster Relief Act of 1969".

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide additional assistance for the reconstruction of areas damaged by major disasters."

Robert E. Jones,
Harold T. Johnson,
Jim Wright,
Ed Edmondson,
William C. Cramer,
Don H. Clausen,
Robert V. Denney,
Managers on the Part of the House.

Birch Bayh,
Stephen M. Young,
Thomas F. Eagleton,
W. B. Spong,
Howard H. Baker, Jr.,
Robert Dole,
Edward J. Gurney,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Provisions of the House Bill

The first section of the House bill is a recognition by Congress of the extensive property loss and damage in the State of California as a result of storms, floods, and high waters during the winter of 1968–69 and the spring of 1969 and of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the House bill authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968–69 and the spring of 1969. The section requires 50 percent participation by the State.

Section 3(a) of the House bill provides that the Federal Government will bear the cost of repairing timber roads damaged in California as a result of this disaster under certain conditions:

(1) If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

(2) If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

(3) If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) of the House bill would authorize the cancellation of timber purchase contracts where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangements authorized by section 3(a).

Section 3(c) of the House bill would authorize the Secretary in the case of the California disaster to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

Section 4 of the House bill grants the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with as a result of the California disaster.

Section 5 of the House bill would repeal a provision of the Public Works Appropriation Act for fiscal 1967 which requires appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 shall be reimbursed in full by the OEP to the Bureau of Reclamation.

Section 6 of the House bill applies to Small Business Administration disaster loans for property loss or damage as a result of the California disaster to the extent such loss or damage is not compensated for by insurance or otherwise. At the borrower's option on that part of any loan in excess of $500 SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof. In addition, SBA would be authorized to defer any or all interest or principal payments during the first three years of a disaster loan made as a result of the California disaster, and such deferral could be made without regard to the borrower's ability to make these payments.

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

Section 8 of the House bill provides for a termination date of June 30, 1970, except for the repeal contained in section 5 which would be permanent.

Section 9 of the House bill provides a short title of the "California Disaster Relief Act of 1969."

Provisions of the Senate Amendment

The first section of the Senate amendment provides a short title of the "Disaster Relief Act of 1969."

Section 2 of the Senate amendment defines a major disaster as one which has been declared by the President under the act of September 30, 1950 (42 U.S.C. 1855–1855g). No provisions of the Senate amendment would be operative except in those instances and areas where the President has declared that a major disaster exists.

Section 3 of the Senate amendment authorizes the SBA to make disaster loans for homeowners up to $30,000 and for business concerns up to $100,000 without regard to whether or not the required financial assistance could be provided by private sources.

Section 4 of the Senate amendment would encourage the formulation by States of comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. Grants up to $250,000 could be made by the President to any applicant State on a matching basis for no more than half the cost of developing a comprehensive State plan. To be eligible for a planning grant, a State would have to establish or designate a State agency which would be responsible for developing and administering its disaster relief plan and program. Each participating State would have to submit its plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the plans, and, if he deems it warranted, make other suggestions about Federal participation in disaster relief programs. The President would prescribe such rules and regulations as he deems necessary for the effective administration of the planning grant program.

Section 5 of the Senate amendment authorizes the President to provide necessary shelter for owners or tenants whose places of resi-

dence have been made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and their families. Dwelling accommodations necessary for this purpose, including mobile homes, could be either purchased or leased, and in turn would be rented to disaster victims, for such period as necessary until they can obtain other suitable housing. Rentals for emergency shelter could be adjusted for a period not to exceed 1 year according to the financial ability of the occupants, but in no case would the family's monthly housing expense be required to be more than one-fourth of the family's monthly income.

Section 6 of the Senate amendment authorizes the President to distribute food-stamp coupons and surplus commodities to low-income households which are not able to purchase adequate amounts of nutritious food because of a major disaster. Such distribution of food stamps and commodities would be done pursuant to laws now governing the handling of these matters, except that the President would be free to disregard conflicting eligibility requirements in order to bring quick aid to disaster sufferers.

Section 7 of the Senate amendment would authorize the President to provide assistance to those individuals unemployed as a result of a major disaster who are not receiving unemployment compensation or private income protection insurance. Any assistance provided under this section could not exceed the number or amount of payments such an individual would have received if he had been qualified for State unemployment compensation payments.

Section 8 of the Senate amendment authorizes the President to make grants to any State or political subdivision for assistance in clearing lakes of debris which is hazardous to public health and safety.

Section 9 of the Senate amendment would authorize the President to make grants and loans to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters.

Section 10 of the Senate amendment would authorize the President to make grants to any State or political subdivision to assist in the removal of debris which has been left on privately owned lands as the result of a major disaster and which has created conditions hazardous to health and safety.

Section 11 of the Senate amendment would authorize the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber, which have been damaged by major disasters. On any roads not accepted before damage has been caused by a major disaster, the timber purchaser would assume 15 percent of all costs of restoration up to a maximum of $4,500, and the Secretary of the Interior or the Secretary of Agriculture would assume the rest. However, this arrangement would not apply if the cost of restoring or reconstructing a road is less than $500, or if the increase in the cost of new road construction is less than $500, because of a major disaster.

Section 12 of the Senate amendment provides that the act would apply to all major disasters occurring after December 31, 1968.

Provisions of the Conference Substitute

The first section of the conference substitute is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the conference substitute authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. These funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Subsections (a) and (b) of section 3 of the conference substitute are the same as the provisions of section 3(a) of the House bill extended, however, to cover all States affected by a major disaster.

Section 3(c) of the conference substitute is essentially the same as section 3(c) of the House bill, except that the reduction from 30 to 7 days of the minimum time required to advertise the sale of national forest timber in the affected area can also take effect if the Secretary determines that the sale of the timber is necessary to salvage the value of timber damaged in the major disaster or to protect undamaged timber.

Section 3(d) of the conference substitute authorizes the President, to the extent he determines it to be in the public interest and acting through the Director of OEP, to make grants to States or political subdivisions for the purpose of removing from privately owned land timber damaged as a result of a major disaster and in turn the State is authorized to make payments to persons for reimbursement of expenses actually incurred by that person in the removal of damaged timber but such payments are not to exceed the amount that removal expenses actually exceed the salvaged value of the timber.

The salvage and cleanup of timber damaged by hurricanes or other disasters is necessary to reduce or prevent further losses from insects, fire, disease, or other causes and to facilitate the restoration of the land to a productive condition. Removal of downed and damaged timber in stream courses and flood plains to prevent building of debris in water courses is also necessary. Therefore, the conferees have agreed to the inclusion of the provisions of section 3(c)(3) and section 3(d) in this conference substitute. The grants authorized by section 3(d) are to be made for payment of expenses actually incurred in the removal of damaged timber with the limitation that these removal expenses are to be offset by the salvage value of the timber. Thus, the owner of the timber would normally salvage what he could and then apply for the difference between what he received for such salvaged timber and his actual cleanup costs to the extent such costs exceed the salvage value. If, however, the owner decided to burn or otherwise dispose of the damaged timber instead of salvaging it, his entitlement under this provision would still be limited to the difference between what he would have received if he had salvaged the timber and his actual cleanup costs to the extent such costs exceed the value of the timber if it had been salvaged.

In the administration of this provision it is the expectation of the conferees that the following guidelines, among others, would be considered:

1. A comprehensive action plan should be prepared by the State to tailor the cleanup and timber salvage operation to fit the specific situation.

2. Priorities for fund allotment should be established to guide efforts to areas where damage and pest and wildfire hazards are concentrated.

3. Approved practices and a scale of acceptable unit costs (per acre or otherwise) should be established.

4. Preexpenditure examinations of the land to be treated should be made by a qualified representative of the State to insure explanation and approval of work to be done.

5. The landowner should either show evidence of a bona fide attempt to salvage the timber through commercial timber sales or otherwise, or in the case where such timber is not to be salvaged, the salvage value of such timber should be established through an approved method for making that determination.

6. Claims for reimbursement should be verified before payment by on-the-ground, postcleanup inspection by a representative of the affected State or political subdivision.

7. States should be able to use grant funds to help organize, equip, and train work crews if necessary to expedite salvage and cleanup operations and to provide the technical assistance necessary to assist landowners in their cleanup and salvage efforts.

8. The establishment of appropriate limitations with respect to these grants which shall be based, among other factors, upon the financial capacity of the person suffering such damage to sustain such damage.

Section 4 of the conference substitute authorizes the Secretary of the Interior to give any public land entryman additional time to comply with requirements of law in connection with a public land entry in any State affected by a major disaster if the Secretary finds that because of such major disaster the entryman was unable to comply with such requirement.

Section 5 of the conference substitute is the same as section 5 of the House bill.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b)(1) of the Small Business Act the Small Business Administration to the extent the loss or damage is not compensated for by insurance or otherwise would, at the borrower's option, be required to cancel up to $1,800 of interest, principal, or any combination thereof, and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the

end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of one per centum and (B) any such loan would not be eligible for cancellation or deferral as otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

The conferees do not intend, however, in the case of any refinancing loan made under paragraph (3) of this section to permit a cancellation or deferral as authorized in paragraph (1) of this section if the loan being refinanced was originally made under paragraph (1) and a portion of such loan already was canceled in accordance with such paragraph. Thus, no borrower shall be entitled to cancellation under paragraph (1) in the case of any refinancing loan made under paragraph (3) if he already received cancellation under paragraph (1) with respect to any loan being refinanced. This would not prohibit, however, a person from receiving two such cancellations if each such cancellation was the result of damage or destruction from a different disaster.

Although there is no statutory limitation in the Small Business Act at the present time with respect to disaster loans, the SBA has imposed administratively limitations of $30,000 in the case of a home and $100,000 in the case of a business. After examination of this problem the conferees are strongly of the opinion that these limitations are presently unrealistic and should be administratively withdrawn and either not replaced with dollar limits of general applicability or if dollar limitations of general applicability are reimposed that they be made more realistic. Failure of the agency to do this should, in the estimation of the conferees, result in a statutory solution being imposed by Congress.

The Small Business Act does not prohibit loans to owners of secondary homes damaged or destroyed in a major disaster. It is, however, the policy of the Small Business Administration to restrict their loans to primary homeowners. Therefore, there is no need to change present law to allow loans for secondary homes, and no language for such purpose is included in this conference substitute. It is the intention of the conferees that this policy of SBA be revised to permit loans to be made to owners of secondary homes destroyed or damaged by a major disaster.

Section 7 of the conference substitute authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 8 of the conference substitute is essentially the same as section 4 of the Senate amendment with two changes. First, the State program for assistance must include a provision for appointment of a State coordinating officer to cooperate with the Federal coordinating officer required by section 9 of the conference substitute. It is the intention of the conferees that this requirement can be fulfilled

through the use of existing State officials and does not necessarily require the creation of any new or additional positions. The second such change is that in lieu of requiring the President to make certain reports to the Congress he is authorized to do so from time to time thus granting the President greater flexibility in carrying out these requirements.

Section 9 of the conference substitute requires the President, immediately upon his designating an area as a major disaster area, to appoint a Federal coordinating officer who shall be responsible for coordinating all Federal disaster relief and assistance and who shall be required to establish field offices to the extent necessary for the rapid and efficient administration of Federal disaster relief programs and otherwise to assist local citizens and State and public officials in obtaining the assistance to which they are entitled under the laws of the United States as promptly as is possible. This Federal coordinating officer is to operate under the OEP. It is the intention of the conferees that whenever possible the designation of this officer shall be made from among existing Federal officers and employees and shall not be deemed to require the appointment of new or additional personnel.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by (1) using unoccupied housing owned by the United States, (2) arranging for the use of unoccupied public housing, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) in excess of 25 percent of the individual's or family's monthly income.

Section 11 of the conference substitute is the same as section 6 of the Senate amendment.

Section 12 of the conference substitute is essentially the same as section 7 of the Senate amendment with clarification to insure that the assistance the President is authorized to provide to an individual unemployed as a result of a major disaster is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an indivuial under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 13 of the conference substitute is essentially the same as section 9 of the Senate amendment.

Section 14 of the conference substitute is an amalgamation of the provisions of sections 8 and 10 of the Senate amendment and authorizes the President whenever he determines it to be in the public interest and acting through OEP to make grants to a State or political subdivision for removing debris deposited on privately owned lands and in or on privately owned waters as a result of a major disaster. The State or political subdivision is authorized to make payments to persons for reimbursement for expenses actually incurred by such persons for the removal of such debris except that such payments are not to exceed the amount that the removal expenses exceed the salvage value of the debris.

The application of this provision with respect to grants for the removal of debris from privately owned lands and waters is comparable to the provisions for grants for the removal of timber from privately owned lands authorized in section 3(d) of the conference substitute, and it is the intention of the conferees that the general terms, conditions, limitations, and guidelines which are referred to in the discussion in this statement of section 3(b) shall, to the extent that they are applicable, also apply to the administration of this provision. In his determination of what is in the public interest for the purposes of this section, it is the intention of the conferees that in addition to the usual concepts of health, welfare and safety, the President take into consideration the economic recovery of the affected communities.

Section 15(a) of the conference substitute defines a major disaster as one which has been determined by the President pursuant to the act of September 30, 1950, as amended (42 U.S.C. 1855–1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Section 15(b) of the conference substitute provides that except for sections 5, 8, 9, and 13, which will be permanent, the remainder of the act will not be in effect after December 31, 1970, except to the extent necessary to apply these provisions to major disasters occurring before that date.

In providing for a limited application of this bill the conferees agreed that prior to the expiration date established in this bill of December 31, 1970, the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will be of undoubted value in making the determination of the type and content of permanent legislation.

Section 16 of the conference substitute provides a short title which is the same as that in the first section of the Senate amendment.

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HAROLD T. JOHNSON,
JIM WRIGHT,
ED EDMONDSON,
WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,
Managers on the Part of the House.

○

is in no way bound to follow the dictates of the voters who selected him. This is no mere theoretical concern. Six times during our history an elector has actually betrayed the trust of the people who appointed him and voted for whom he pleased. One need only go back to December 1968 to find the latest example of such dangerous and unethical conduct. There, an elector from North Carolina, completely ignoring the mandate of his fellow citizens, cast his vote for George Wallace, even though he had been pledged to Richard Nixon, and in spite of the fact that Mr. Nixon had carried the State by over 8 percent. Conduct of this nature is totally unacceptable, and must be eliminated.

A second reason why the college must go is that it creates unnatural and unfair disparities in both individual voting power and in the results of the election. These are caused by the awarding of an elector for each Senator, regardless of State population; by the granting of a whole elector to the smallest States; and by the failure of the system to account for voter turnout. Ohio's 10 million people are represented by 26 presidential electors. But the Nation's 16 smallest States, which have a combined population of 10 million, get 58 electoral votes. Similarly, in the 1968 election, Ohio's 4 million voters were represented by 26 electors, while the 4 million voters of South Carolina, Alabama, Mississippi, Louisiana, and Arkansas were given 42. Outcomes are equally distorted. In 1912, Woodrow Wilson's 42 percent of the popular votes gave him 84 percent of the college; in 1936, Franklin Roosevelt's 60 percent was transformed to 98 percent; and Dwight Eisenhower's 55 percent majority in 1952 was inflated to 83 percent of the electoral votes.

A third serious defect is the automatic referral of any election in which no candidate receives a majority of the electoral votes to the House of Representatives. Each State there gets one vote, regardless of population. Thus five Members of the House representing a majority of the five smallest delegations—Alaska, Delaware, Nevada, Vermont, and Wyoming—and 1.7 million people would have voting strength equalling that of 154 Members—California, New York, Illinois, Pennsylvania, and Ohio—representing 64 milion people; 59 of the 435 Members could actually elect the President. As my good friend and colleague, the gentleman from Ohio (Mr. VANIK), stated before the Judiciary Committee:

> It is hard to conceive of a more undemocratic process for electing a national leader.

Moreover, the two historical occasions upon which elections have reverted to the House are not exactly the brightest points in our political heritage. Even though the principals in those contests were men of such enormous stature as Thomas Jefferson, John Quincy Adams, and Henry Clay, both periods were marked by favortism, bitterness, and unbecoming cloakroom chicanery.

Another flaw in the present method is that it continuously creates the possibility of a minority President. Three times this has happened—in 1824, 1876, and 1888. There is nothing to prevent it from happening in 1972. In fact, with less than a 1-percent switch in voting patterns, it would have happened twice during this decade—the 1960 Kennedy-Nixon and 1968 Humphrey-Nixon races. The problems which such a result would raise are only too apparent. A President elected by a slight majority is always faced with immense difficulties in harnessing the energies of the Congress and the voters. These would likely be multiplied tenfold. In addition, no one can safely project how our politically active, late 20th-century society would react to such an outcome. At best, it would instill a pernicious mistrust of the democratic system. At worst, it would precipitate a first-rate constitutional crisis.

And there is a final defect in the present system—one might which be of less practical import, but which may, nevertheless, be the most serious of all. The electoral college was based on a premise which has long outlived its validity—that is, that the task of selecting our country's Chief Executive was too important a matter to be left to "commoners." In no other facet of our democratic voting system does this anachronism remain. We now recognize—at least legally—that the very foundation of our democracy is equal voting rights for all Americans. Exclusive voting by the "landed gentry" is long since gone. Women are now afforded full and equal voting rights. And continued efforts are being made to insure those same rights to the nonwhite minority groups of this Nation. Thus, the very existence of this idea in the Constitution is out of step with the trend of our history. For that reason alone, it should be removed.

Once one realizes and accepts the inadequacies of the present way we choose our President, the logical leap to direct election is less difficult to make—for no possible alternative plan eliminates all of the fallacies of the electoral college except direct election. All other proposals do solve the "faithless elector" problem, and most remove the unnatural voting power disparities to some degree. Yet none eradicate all discrepancies in voting strength. All would be plagued with the "minority President" specter, and all would retain vestiges of the 18th century "partrician voting" mentality. Just as an example, under either of the two most popular alternative reform plans, the "district" plan or the "proportional" plan, Richard Nixon would have defeated John F. Kennedy for the Presidency in 1960, despite Kennedy's victory in the popular vote.

Direct election, on the other hand, would erase all traces of the above-enumerated dangers and inequalities of the electoral college system. No President could be elected with fewer votes than his opponent. No vote would be "more equal" and have more weight than any other. And no results would be distorted by faithless electors, fluctuating voter turnouts, outdated census figures, or by an undemocratic vote in the Congress. The President would be elected by all the people—and thereby be made more responsive to all the people—as he should be.

Direct election would not only eliminate all the problems of the present system, but it also has several redeeming merits in its own right. By insuring that one's vote would never be "wasted," it would encourage full election participation in traditional one-party States. The fear of facing a runoff, and the requirement that any candidate must obtain at least 40 percent of the popular vote to be elected, will force the major parties to devote more attention to their noncentrist wings—thereby both making the parties more responsive to their memberships and also giving the voters a more meaningful choice at the polls. Finally, by eliminating the winner-take-all aspects of the present selection method, direct election should remove the permanent temptation of ballot stuffing and other forms of corruption. As the system works now, a few well-placed fraudulent votes can change one-tenth of the vote—a 20-percent shift. Under direct election, however, the same number of "stuffs" would be virtually innocuous.

In calling for passage of this joint resolution, I do not ignore those who oppose direct election on the grounds that the present system favors "big-city" States or minority voting groups. Nor could I be unaware that my close friend, Mr. Clarence Mitchell of the NAACP, while academically favoring direct election, has taken the position that it should not become a part of our Constitution until all Americans are granted complete and equal voting rights.

To those who favor retention of the present system because it is advantageous to urban and minority voters, I would note several points.

First, there is a distinct split of opinion as to whether this is truly the situation. Many liberal politicians and political scientists, pointing to disparate figures like the ones I have cited earlier, believe that in any given election the natural, builtin advantages of the electoral college system which accrue to the smaller States far outweigh any theoretical advantages to the larger ones.

Second, that theory assumes that progressive voting blocks, like minority groups and labor unions, are the only such blocks extant in urban areas. My observations of the 1968 presidential election and more recent mayoral elections would cast serious doubt on that premise.

Third, the theory assumes that these voting blocks can be used as bargaining tools and political levers, and then herded to the voting booths like great masses of cattle to do their leaders' bidding. Do we not wish it were so easy. It would seem to be obvious from the difficulties encountered by the unions along these lines during the past election that the day of the "deliverable" votes are numbered.

Similarly, the "advantage" theory seems to assume that black voting strength would not be transferable to a national level. I find this quite difficult

to believe. For example, if all eligible black voters in New York, Pennsylvania, Ohio, and so forth, could join hands with those in Alabama, Mississippi, Louisiana, and so forth, they would form a solid national phalanx of almost 11 million voters. That number of potential votes—approximately 30 percent of those needed for election—would be extremely dangerous for any candidate to ignore. The same would be true for a "union block," assuming one still exists.

Finally, on an issue of such vast political importance and historical magnitude, I simply find it quite difficult to base my opinion on what I perceive as "advantages" or "disadvantages" to a particular philosophy. We are here deciding how several generations of future American voters will go about performing their single most important task—selecting the leader of this country. It would seem that if ever a question called for the setting aside of partisan thoughts and for statesmanship of the first order, it would be this one.

As for Mr. Mitchell's point, I am certain that I need not say to him or to any Member of this body that no one is more interested in providing full voting rights for black Americans than I. On several occasions I have spoken out in vociferous opposition to the President's decision not to extend the 1965 Voting Rights Act, and in praise of the distinguished chairman of the Judiciary Committee, the gentleman from New York (Mr. CELLER), and my distinguished colleague, the gentleman from Ohio (Mr. MCCULLOCH), for their leadership in opposition to Mr. Nixon's position. And I will continue to support this or any other measure aimed at providing equal voting opportunity.

Yet, I am equally concerned that once all citizens have the right to vote, that they also have the incentive to do so. Eight hundred thousand black people have been registered in the South since the passage of the Voting Rights Act. But very, very few of these have ever cast a vote for President of the United States. It is a well-known fact that an overwhelming majority of these voters favored Mr. Humphrey in the 1968 election. But since Mr. Humphrey did not carry a single State covered by the act, those black votes were not only never counted, but were actually represented by a substantial number of electoral votes for George Wallace. And since I cannot see either blacks or blacks and progressive whites becoming a majority in these States for some time to come, I think direct election is essential to insure both that the blacks have reason to go to the polls and that their votes do in fact become a part of the national tally.

I need not say that it is deplorable that all black people in America today do not have the right to vote. This situation, however, is primarily limited to black residents of seven Southern States. In light of the strides made in correcting this inequity since 1965, I msut assume that vigorous application of the Voting Rights Act will eventually cure this situation.

What occurs then—once the right to vote has been extended to these disenfranchised black people? Is the voting power of this large group of people to be saddled with an outmoded, outdated, antiquated electoral college system which will still systematically invalidate their vote, State by State; or will their collective voting power be of more significance when measured, vote by vote, in a national tally? I choose to believe the latter.

As a legislator I have the responsibility to analyze not only the position of black people in America today—but for generations to come. It seems to me that I will do an injustice to future generations if I do not today provide them with the wherewithal to not only enjoy the incentive to vote—but to give them the satisfaction of knowing that their vote counted.

I would make one final pont on the question of ratification. Several persons, the President being the most prominent, have stated that while they really prefer the direct election system, they would settle for more minimal reforms because they fear a direct election amendment would not be ratified by the requisite three-fourths of the States. I find two things wrong with this analysis. First, I believe it is a gross misreading of the thinking of the American people. The Gallup poll conducted earlier this year showed 81 percent of those questioned favoring direct election. A Harris poll found 80 percent. Senator GRIFFIN'S poll of State legislators found an appreciable majority in favor of the proposal. Moreover, direct election has been endorsed by virtually every major newspaper in the country, and by such diverse groups as the U.S. Chamber of Commerce, the International Ladies' Garment Workers Union, the American Bar Association, the AFL–CIO, and the National Federation of Independent Businessmen. Even more importantly, however, the President's position is not a courageous one. As the New York Times has editorially commented:

> Inadequate reforms must not be submitted to the States out of fear that sounder measures would never win ratification. Such an approach violates duty and insults both the States and the voters.

This is a vitally important issue—one of the most essential of the decade. It is not a time to cower before the unknown. It is the time for strong and determined leadership—leadership from both the President and the Members of Congress.

The test of time has demonstrated to the American people that this constitutional measure is needed in order to respond to change and to bring this Nation into the 20th century. As representatives of the people, we have a responsibility to give them nothing less.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, had come to no resolution thereon.

CORRECTION OF ROLLCALL

Mr. ROSTENKOWSKI. Mr. Speaker, on rollcall No. 174, today, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONFERENCE REPORT ON H.R. 6508, CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama submitted the following conference report and statement on the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters:

CONFERENCE REPORT (H. REPT. No. 495)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

"SEC. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 per centum of all costs of such repair or reconstruction.

"SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000

for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

"(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

"(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the reconstruction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

"(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

"SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

"SEC. 5. The last paragraph under the center heading 'Administrative Provisions' in title II of the Public Works Appropriation Act, 1967 (Public Law 89-689), is hereby repealed.

"SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(p)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

"(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

"(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

"(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

"SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), in the case of property loss or damage in any affected State resulting from a major disaster the Secretary of Agriculture—

"(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

"(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

"(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens otustanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

"SEC. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(b) The President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

"(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

"(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

"(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

"SEC. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinating officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

"SEC. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

"(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

"(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such authority as may be designated by the President, had occupied a dwelling, as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

"SEC. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

"(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such house-

holds for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

"(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

"SEC. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

"SEC. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

"SEC. 14. The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such persons in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris.

"SEC. 15. (a) As used in this Act the term 'major disaster' means a major disaster as determined by the President pursuant to the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes,' approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970.

"(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date.

"SEC. 16. This Act may be cited as the 'Disaster Relief Act of 1969'."

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide additional assistance for the reconstruction of areas damaged by major disasters."

ROBERT E. JONES,
HAROLD J. JOHNSON,
JIM WRIGHT,
ED EDMONDSON,
WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,
Managers on the Part of the House.

BIRCH BAYH,
STEPHEN M. YOUNG,
THOMAS F. EAGLETON,
W. B. SPONG,
HOWARD H. BAKER,
ROBERT DOLE,
EDWARD J. GURNEY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

PROVISIONS IN THE HOUSE BILL

The first section of the House bill is a recognition by Congress of the extensive property loss and damage in the State of California as a result of storms, floods, and high waters during the winter of 1968–69 and the spring of 1969 and of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the House bill authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968–69 and the spring of 1969. The section requires 50 percent participation by the State.

Section 3(a) of the House bill provides that the Federal Government will bear the cost of repairing timber roads damaged in California as a result of this disaster under certain conditions:

(1) If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

(2) If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

(3) If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) of the House bill would authorize the cancellation of timber purchase contracts where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangements authorized by section 3(a).

Section 3(c) of the House bill would authorize the Secretary in the case of the California disaster to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

Section 4 of the House bill grants the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with as a result of the California disaster.

Section 5 of the House bill would repeal a provision of the Public Works Appropriation Act for fiscal 1967 which requires appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 shall be reimbursed in full by the OEP to the Bureau of Reclamation.

Section 6 of the House bill applies to Small Business Administration disaster loans for property loss or damage as a result of the California disaster to the extent such loss or damage is not compensated for by insurance or otherwise. At the borrower's option on that part of any loan in excess of $500 SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof. In addition, SBA would be authorized to defer any or all interest or principal payments during the first three years of a disaster loan made as a result of the California disaster, and such deferral could be made without regard to the borrower's ability to make these payments.

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

Section 8 of the House bill provides for a termination date of June 30, 1970, except for the repeal contained in section 5 which would be permanent.

Section 9 of the House bill provides a short title of the "California Disaster Relief Act of 1969."

PROVISIONS OF THE SENATE AMENDMENT

The first section of the Senate amendment provides a short title of the "Disaster Relief Act of 1969."

Section 2 of the Senate amendment defines a major disaster as one which has been declared by the President under the act of September 30, 1950 (42 U.S.C. 1855–1855g). No provisions of the Senate amendment would be operative except in those instances and areas where the President has declared that a major disaster exists.

Section 3 of the Senate amendment authorizes the SBA to make disaster loans for homeowners up to $30,000 and for business concerns up to $100,000 without regard to whether or not the required financial assistance could be provided by private sources.

Section 4 of the Senate amendment would encourage the formulation by States of comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. Grants up to $250,000 could be made by the President to any applicant State on a matching basis for no more than half the cost of developing a comprehensive State plan. To be eligible for a planning grant, a State would have to establish or designate a State agency which would be responsible for developing and administering its disaster relief plan and program. Each participating State would have to submit its plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the plans, and, if he deems it warranted, make other suggestions about Federal participation in disaster relief programs. The President would prescribe such rules and regulations as he deems necessary for the effective administration of the planning grant program.

Section 5 of the Senate amendment authorizes the President to provide necessary shelter for owners or tenants whose places of residence have been made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and their families. Dwelling accommodations necessary for this purpose, including mobile homes, could be either purchased or leased, and in turn would be rented to disaster victims, for such period as necessary until they can obtain other suitable housing. Rentals for emergency shelter could be adjusted for a period not to exceed 1 year according to the financial ability of the occupants, but in no case would the family's monthly housing expense be required to be more than one-fourth of the family's monthly income.

Section 6 of the Senate amendment authorizes the President to distribute food-stamp coupons and surplus commodities to low-income households which are not able to purchase adequate amounts of nutritious food because of a major disaster. Such distribution of food stamps and commodities would be done pursuant to laws now governing the handling of these matters, except that the President would be free to disregard conflicting eligibility requirements in order to bring quick aid to disaster sufferers.

Section 7 of the Senate amendment would authorize the President to provide assistance to those individuals unemployed as a result of a major disaster who are not receiving unemployment compensation or private income protection insurance. Any assistance provided under this section could

not exceed the number or amount of payments such an individual would have received if he had been qualified for State unemployment compensation payments.

Section 8 of the Senate amendment authorizes the President to make grants to any State or political subdivision for assistance in clearing lakes of debris which is hazardous to public health and safety.

Section 9 of the Senate amendment would authorize the President to make grants and loans to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters.

Section 10 of the Senate amendment would authorize the President to make grants to any State or political subdivision to assist in the removal of debris which has been left on privately owned lands as the result of a major disaster and which has created conditions hazardous to health and safety.

Section 11 of the Senate amendment would authorize the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber, which have been damaged by major disasters. On any roads not accepted before damage has been caused by a major disaster, the timber purchaser would assume 15 percent of all costs of restoration up to a maximum of $4,500, and the Secretary of the Interior or the Secretary of Agriculture would assume the rest. However, this arrangement would not apply if the cost of restoring or reconstructing a road is less than $500, or if the increase in the cost of new road construction is less than $500, because of a major disaster.

Section 12 of the Senate amendment provides that the act would apply to all major disasters occurring after December 31, 1968.

PROVISIONS OF THE CONFERENCE SUBSTITUTE

The first section of the conference substitute is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the conference substitute authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. These funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Subsections (a) and (b) of section 3 of the conference substitute are the same as the provisions of section 3(a) of the House bill extended, however, to cover all States affected by a major disaster.

Section 3(c) of the conference substitute is essentially the same as section 3(c) of the House bill, except that the reduction from 30 to 7 days of the minimum time required to advertise the sale of national forest timber in the affected area can also take effect if the Secretary determines that the sale of the timber is necessary to salvage the value of timber damaged in the major disaster or to protect undamaged timber.

Section 3(d) of the conference substitute authorizes the President, to the extent he determines it to be in the public interest and acting through the Director of OEP, to make grants to States or political subdivisions for the purpose of removing from privately owned land timber damaged as a result of a major disaster and in turn the State is authorized to make payments to persons for reimbursement of expenses actually incurred by that person in the removal of damaged timber but such payments are not to exceed the amount that removal expenses actually exceed the salvaged value of the timber.

The salvage and cleanup of timber damaged by hurricanes or other diasters is necessary to reduce or prevent further losses from insects, fire, disease, or other causes and to facilitate the restoration of the land to a productive condition. Removal of downed and damaged timber in stream actually incurred in the removal of damaged of debris in water courses is also necessary. Therefore, the conferees have agreed to the inclusion of the provisions of section 3(c)(3) and section 3(d) in this conference substitute. The grants authorized by section 3(d) are to be made for payment of expenses actually incurred in the removal of damaged timber with the limitation that these removal expenses are to be offset by the salvage value of the timber. Thus, the owner of the timber would normally salvage what he could and then apply for the difference between what he received for such salvaged timber and his actual cleanup costs to the extent such costs exceed the salvage value. If, however, the owner decided to burn or otherwise dispose of the damaged timber instead of salvaging it, his entitlement under this provision would still be limited to the difference between what he would have received if he had salvaged the timber and his actual cleanup costs to the extent such costs exceed the value of the timber if it had been salvaged.

In the administration of this provision it is the expectation of the conferees that the following guidelines, among others, would be considered:

1. A comprehensive action plan should be prepared by the State to tailor the cleanup and timber salvage operation to fit the specific situation.

2. Priorities for fund allotment should be established to guide efforts to areas where damage and pest and wildfire hazards are concentrated.

3. Approved practices and a scale of acceptable unit costs (per acre or otherwise) should be established.

4. Preexpenditure examinations of the land to be treated should be made by a qualified representative of the State to insure explanation and approval of work to be done.

5. The landowner should either show evidence of a bona fide attempt to salvage the timber through commercial timber sales or otherwise, or in the case where such timber is not to be salvaged, the salvage value of such timber should be established through an approved method for making that determination.

6. Claims for reimbursement should be verified before payment by on-the-ground, postcleanup inspection by a representative of the affected State or political subdivision.

7. States should be able to use grant funds to help organize, equip, and train work crews if necessary to expedite salvage and cleanup operations and to provide the technical assistance necessary to assist landowners in their cleanup and salvage efforts.

8. The establishment of appropriate limitations with respect to these grants which shall be based, among other factors, upon the financial capacity of the person suffering such damage to sustain such damage.

Section 4 of the conference substitute authorizes the Secretary of the Interior to give any public land entryman additional time to comply with requirements of law in connection with a public land entry in any State affected by a major disaster if the Secretary finds that because of such major disaster the entryman was unable to comply with such requirement.

Section 5 of the conference substitute is the same as section 5 of the House bill.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b)(1) of the Small Business Act the Small Business Administration to the extent the loss or damage is not compensated for by insurance or otherwise would, at the borrower's option, be required to cancel up to $1,800 of interest, principal, or any combination thereof, and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of one per centum and (B) any such loan would not be eligible for cancellation or deferral as otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

The conferees do not intend, however, in the case of any refinancing loan made under paragraph (3) of this section to permit a cancellation or deferral as authorized in paragraph (1) of this section if the loan being refinanced was originally made under paragraph (1) and a portion of such loan already was canceled in accordance with such paragraph. Thus, no borrower shall be entitled to cancellation under paragraph (1) in the case of any refinancing loan made under paragraph (3) if he already received cancellation under paragraph (1) with respect to any loan being refinanced. This would not prohibit, however, a person from receiving two such cancellations if each such cancellation was the result of damage or destruction from a different disaster.

Although there is no statutory limitation in the Small Business Act at the present time with respect to disaster loans, the SBA has imposed administratively limitations of $30,000 in the case of a home and $100,000 in the case of a business. After examination of this problem the conferees are strongly of the opinion that these limitations are presently unrealistic and should be administratively withdrawn and either not replaced with dollar limits of general applicability or if dollar limitations of general applicability are reimposed that they be made more realistic. Failure of the agency to do this should, in the estimation of the conferees, result in a statutory solution being imposed by Congress.

The Small Business Act does not prohibit loans to owners of secondary homes damaged or destroyed in a major disaster. It is, however, the policy of the Small Business Administration to restrict their loans to primary homeowners. Therefore, there is no need to change present law to allow loans for secondary homes, and no language for such purpose is included in this conference substitute. It is the intention of the conferees that this policy of SBA be revised to permit loans to be made to owners of secondary homes destroyed or damaged by a major disaster.

Section 7 of the conference substitute authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration

Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 8 of the conference substitute is essentially the same as section 4 of the Senate amendment with two changes. First, the State program for assistance must include a provision for appointment of a State coordinating officer to cooperate with the Federal coordinating officer required by section 9 of the conference substitute. It is the intention of the conferees that this requirement can be fulfilled through the use of existing State officials and does not necessarily require the creation of any new or additional positions. The second such change is that in lieu of requiring the President to make certain reports to the Congress he is authorized to do so from time to time thus granting the President greater flexibility in carrying out these requirements.

Section 9 of the conference substitute requires the President, immediately upon his designating an area as a major disaster area, to appoint a Federal coordinating officer who shall be responsible for coordinating all Federal disaster relief and assistance and who shall be required to establish field offices to the extent necessary for the rapid and efficient administration of Federal disaster relief programs and otherwise to assist local citizens and State and public officials in obtaining the assistance to which they are entitled under the laws of the United States as promptly as is possible. This Federal coordinating officer is to operate under the OEP. It is the intention of the conferees that whenever possible the designation of this officer shall be made from among existing Federal officers and employees and shall not be deemed to require the appointment of new or additional personnel.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by (1) using unoccupied housing owned by the United States, (2) arranging for the use of unoccupied public housing, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) in excess of 25 percent of the individual's or family's monthly income.

Section 11 of the conference substitute is the same as section 6 of the Senate amendment.

Section 12 of the conference substitute is essentially the same as section 7 of the Senate amendment with clarification to insure that the assistance the President is authorized to provide to an individual unemployed as a result of a major disaster is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an individual under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 13 of the conference substitute is essentially the same as section 9 of the Senate amendment.

Section 14 of the conference substitute is an amalgamation of the provisions of sections 8 and 10 of the Senate amendment and authorizes the President whenever he determines it to be in the public interest and acting through OEP to make grants to a State or political subdivision for removing debris deposited on privately owned lands and in or on privately owned waters as a result of a major disaster. The State or political subdivision is authorized to make payments to persons for reimbursement for expenses actually incurred by such persons for the removal of such debris except that such payments are not to exceed the amount that the removal expenses exceed the salvage value of the debris.

The application of this provision with respect to grants for the removal of debris from privately owned lands and waters is comparable to the provisions for grants for the removal of timber from privately owned lands authorized in section 3(d) of the conference substitute, and it is the intention of the conferees that the general terms, conditions, limitations, and guidelines which are referred to in the discussion in this statement of section 3(b) shall, to the extent that they are applicable, also apply to the administration of this provision. In his determination of what is in the public interest for the purposes of this section, it is the intention of the conferees that in addition to the usual concepts of health, welfare and safety, the President take into consideration the economic recovery of the affected communities.

Section 15(a) of the conference substitute defines a major disaster as one which has been determined by the President pursuant to the act of September 30, 1950, as amended (42 U.S.C. 1855–1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Section 15(b) of the conference substitute provides that except for sections 5, 8, 9, and 13, which will be permanent, the remainder of the act will not be in effect after December 31, 1970, except to the extent necessary to apply these provisions to major disasters occurring before that date.

In providing for a limited application of this bill the conferees agreed that prior to the expiration date established in this bill of December 31, 1970, the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will be of undoubted value in making the determination of the type and content of permanent legislation.

Section 16 of the conference substitute provides a short title which is the same as that in the first section of the Senate amendment.

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Managers on the Part of the House.

AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRIEDEL. Mr. Speaker, in the United States we believe in rule by law and in honoring our international commitments. Beyond these laws, however, we believe that there is a higher law of humanity that puts a value on the individual human being. Therefore it is grievous to observe a nation that not only does not abide by international law but also ignores the law of humanity. I refer to North Vietnam's treatment of American prisoners of war.

The Geneva Convention was established to prevent the very abuse and exploitation of prisoners that North Vietnam has carried out. Despite their protestations of humane treatment for prisoners, the North Vietnamese have committed many known violations of the Convention.

The Convention provides for the repatriation of the seriously sick and wounded, as well as the bodies of the dead, but the International Red Cross has asked by name for the return of several men known to be seriously ill and has received no response at all.

The Convention sets standards for food, clothing, and medical care, all to be verified by a neutral body, but photographs and reports of the prisoners themselves belie Communist promises of good treatment, and neutral observers have never been permitted to confirm the truth.

The Convention provides that prisoners be protected against public curiosity, but American pilots have been put on public display and subjected to harassment in city streets, even when wounded.

The Convention regulates labor and discipline, prohibiting torture and providing for enforcement of a "protecting power"; instead the North Vietnamese have extracted so-called "confessions" and apparently brainwashed and otherwise mistreated helpless prisoners. They have kept prisoners isolated from all human company for many months as well.

The Convention guarantees communication between prisoners and their families, but in the past 5 years less than 100 have been allowed to write home, and even then the frequency of writing averaged less than two letters per year. Packages and letters sent by families have been returned unopened or have simply disappeared, apparently intercepted.

Finally, and most basically, the Convention calls for identification of all prisoners. The other side has not only refused to comply with this elementary and nonmilitary request, but has even refused to give the total number of prisoners, calling these facts military secrets. Of over 1,300 men who are missing in action, less than 400 are known to be held prisoner, and the Communists will not reveal which of the others are living and which are dead. Their adamant refusal of such simple and humane requests leads to the suspicion that they do not wish to be held accountable for the fate of their captives. They prefer instead to cause worry and indecision to the families of the prisoners.

Thus, not only the prisoners themselves but also their families are the helpless victims of the intransigence of the

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY; NOT TO BE QUOTED OR CITED)

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CONTENTS

Accounting.....3
Alaska.....29
Appropriations.....2,10,16
Atomic energy.....24
CCC.....15
Census.....41
Court leave.....44
Disaster relief.....1,35
Economy.....4,28
Environment.....38
Farm programs.....18
Federal-State relations.42
Federalism.....33
Flood control.....40
Flood insurance.....35
Food stamp.....25
Foreign aid.....30
Foreign trade.....5,26,37
Forest Service.....10
Health.....19
Horses.....22
Housing.....13,39
Imports.....5,26,37
Inspection.....43
Insurance.....39,45
Insured loans.....13,45
Interest rates.....4,13,45
Leave.....44
Marketing.....11
Nomination.....15
Nutrition.....25
Oceanography.....20
Parks.....9
Personnel.....42,44
Pesticides.....23
Pollution.....24,38
Potatoes.....11
Recreation.....9,27
Research.....11,14,16
Rural housing.....36,45
Science.....14,16
Sea-level canal.....21
Selective Service.....7
Social security.....7,17
Solid waste.....31
Tax reform.....6,32,34
Textile imports.....37
Trade.....43
Welfare.....25,33
Wheat allotments.....12

HIGHLIGHTS: Both Houses agreed to conference report on disaster relief bill. Senate committee reported Interior appropriation bill. Senate committee reported resolution to continue housing laws for 90-days. Senate confirmed nomination of Cowden to be member CCC Board of Directors. Senate committee reported bills: provide potato research and promotion, increase Tulelake wheat acreage, exclude potatoes for processing from marketing agreements.

HOUSE

1. DISASTER RELIEF. Both Houses agreed to the conference report on H. R. 6508, a bill to provide additional assistance for the reconstruction of areas damaged by major disasters (pp. H8145-54, S10796-807). For the provisions of the conference committee substitute see Digest 149. This bill will now be sent to the President.

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WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

2. APPROPRIATIONS. Received the conference report on H. R. 11582, the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies appropriations, 1970 (H. Rept. 91-497). p. H8190
Rep. Bow listed the regular appropriations bills for 1970 on which the House has taken action. p. H8164

3. ACCOUNTING. Received from GAO a report on progress and problems relating to improvement of Federal agency accounting systems as of Dec. 31, 1968. p. H8190

4. ECONOMY. Rep. Podell spoke on the economy of the Nation and criticized what he termed "disastrous economic policies of the present administration." p. H8188
Reps. Albert and Gross discussed the high interest rates situation. p. H8104

5. IMPORTS. Rep. St Germain spoke on the effects of imports on the domestic industry in his district. p. H8104
Rep. Cleveland inserted the statement of a representative of the National Footwear Manufacturers Association before the Small Business Subcommittee, Banking and Currency Committee which he called a most comprehensive and readable account of the background and present condition of the domestic footwear industry with regard to foreign imports. pp. H8179-88

6. TAX REFORM. Rep. Schwengel inserted an article which notes various shortcomings in the tax reform bill. p. H8174
Rep. Hanna took issue with an Administration official who indicated the tax reform bill was "too consumer oriented." p. H8102

7. SELECTIVE SERVICE. Rep. Rivers commended and discussed the Administration's proposals regarding the reform of the Selective Service System. pp. H8168-9

8. SOCIAL SECURITY. Rep. Ryan discussed the Administration's proposed increase in social security benefits and asked if it were a question of "too little - too late." p. H8178

9. RECREATION; PARKS. Rep. Podell criticized the Administration's position of placing restrictions on spending on new park and recreation areas. pp. H8188-9

SENATE

10. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 12781, the Interior and related agencies appropriation bill, 1970 (S. Rept. 91-420) (p. 10807). Attached to this digest are excerpts from the committee report and a table reflecting the changes in the appropriation items for the Forest Service.

91st Congress } HOUSE OF REPRESENTATIVES { Report
1st Session } { No. 91–495

DISASTER RELIEF ACT OF 1969

September 17, 1969.—Ordered to be printed

Mr. Jones of Alabama, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 6508]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

Sec. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 per centum of all costs of such repair or reconstruction.

Sec. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of

a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the reconstruction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89-689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in any affected State resulting from a major disaster the Secretary of Agriculture—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so cancelled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster.

For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(b) The President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

Sec. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinating officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

Sec. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such au-

thority as may be designated by the President, had occupied a dwelling, as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

SEC. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

SEC. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

SEC. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

SEC. 14. The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris.

SEC. 15. (a) As used in this Act the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970.

(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date.

Sec. 16. This Act may be cited as the "Disaster Relief Act of 1969".

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide additional assistance for the reconstruction of areas damaged by major disasters."

Robert E. Jones,
Harold T. Johnson,
Jim Wright,
Ed Edmondson,
William C. Cramer,
Don H. Clausen,
Robert V. Denney,
Managers on the Part of the House.

Birch Bayh,
Stephen M. Young,
Thomas F. Eagleton,
W. B. Spong,
Howard H. Baker, Jr.,
Robert Dole,
Edward J. Gurney,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Provisions of the House Bill

The first section of the House bill is a recognition by Congress of the extensive property loss and damage in the State of California as a result of storms, floods, and high waters during the winter of 1968–69 and the spring of 1969 and of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the House bill authorizes $30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968–69 and the spring of 1969. The section requires 50 percent participation by the State.

Section 3(a) of the House bill provides that the Federal Government will bear the cost of repairing timber roads damaged in California as a result of this disaster under certain conditions:

(1) If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than $1,000. If it was more than $1,000 the Federal Government would bear the cost.

(2) If the timber sale was between 1 million and 3 million board feet, the figure would increase $1 per 1,000 board feet.

(3) If the timber sale was over 3 million board feet and damage over $3,000, the Federal Government would bear the cost.

Section 3(b) of the House bill would authorize the cancellation of timber purchase contracts where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangements authorized by section 3(a).

Section 3(c) of the House bill would authorize the Secretary in the case of the California disaster to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

Section 4 of the House bill grants the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with as a result of the California disaster.

Section 5 of the House bill would repeal a provision of the Public Works Appropriation Act for fiscal 1967 which requires appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 shall be reimbursed in full by the OEP to the Bureau of Reclamation.

Section 6 of the House bill applies to Small Business Administration disaster loans for property loss or damage as a result of the California disaster to the extent such loss or damage is not compensated for by insurance or otherwise. At the borrower's option on that part of any loan in excess of $500 SBA would be required to cancel up to $1,800 of interest, principal, or any combination thereof. In addition, SBA would be authorized to defer any or all interest or principal payments during the first three years of a disaster loan made as a result of the California disaster, and such deferral could be made without regard to the borrower's ability to make these payments.

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

Section 8 of the House bill provides for a termination date of June 30, 1970, except for the repeal contained in section 5 which would be permanent.

Section 9 of the House bill provides a short title of the "California Disaster Relief Act of 1969."

Provisions of the Senate Amendment

The first section of the Senate amendment provides a short title of the "Disaster Relief Act of 1969."

Section 2 of the Senate amendment defines a major disaster as one which has been declared by the President under the act of September 30, 1950 (42 U.S.C. 1855–1855g). No provisions of the Senate amendment would be operative except in those instances and areas where the President has declared that a major disaster exists.

Section 3 of the Senate amendment authorizes the SBA to make disaster loans for homeowners up to $30,000 and for business concerns up to $100,000 without regard to whether or not the required financial assistance could be provided by private sources.

Section 4 of the Senate amendment would encourage the formulation by States of comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. Grants up to $250,000 could be made by the President to any applicant State on a matching basis for no more than half the cost of developing a comprehensive State plan. To be eligible for a planning grant, a State would have to establish or designate a State agency which would be responsible for developing and administering its disaster relief plan and program. Each participating State would have to submit its plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the plans, and, if he deems it warranted, make other suggestions about Federal participation in disaster relief programs. The President would prescribe such rules and regulations as he deems necessary for the effective administration of the planning grant program.

Section 5 of the Senate amendment authorizes the President to provide necessary shelter for owners or tenants whose places of resi-

dence have been made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and their families. Dwelling accommodations necessary for this purpose, including mobile homes, could be either purchased or leased, and in turn would be rented to disaster victims, for such period as necessary until they can obtain other suitable housing. Rentals for emergency shelter could be adjusted for a period not to exceed 1 year according to the financial ability of the occupants, but in no case would the family's monthly housing expense be required to be more than one-fourth of the family's monthly income.

Section 6 of the Senate amendment authorizes the President to distribute food-stamp coupons and surplus commodities to low-income households which are not able to purchase adequate amounts of nutritious food because of a major disaster. Such distribution of food stamps and commodities would be done pursuant to laws now governing the handling of these matters, except that the President would be free to disregard conflicting eligibility requirements in order to bring quick aid to disaster sufferers.

Section 7 of the Senate amendment would authorize the President to provide assistance to those individuals unemployed as a result of a major disaster who are not receiving unemployment compensation or private income protection insurance. Any assistance provided under this section could not exceed the number or amount of payments such an individual would have received if he had been qualified for State unemployment compensation payments.

Section 8 of the Senate amendment authorizes the President to make grants to any State or political subdivision for assistance in clearing lakes of debris which is hazardous to public health and safety.

Section 9 of the Senate amendment would authorize the President to make grants and loans to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters.

Section 10 of the Senate amendment would authorize the President to make grants to any State or political subdivision to assist in the removal of debris which has been left on privately owned lands as the result of a major disaster and which has created conditions hazardous to health and safety.

Section 11 of the Senate amendment would authorize the Secretary of the Interior and the Secretary of Agriculture to reimburse timber sale contractors or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber, which have been damaged by major disasters. On any roads not accepted before damage has been caused by a major disaster, the timber purchaser would assume 15 percent of all costs of restoration up to a maximum of $4,500, and the Secretary of the Interior or the Secretary of Agriculture would assume the rest. However, this arrangement would not apply if the cost of restoring or reconstructing a road is less than $500, or if the increase in the cost of new road construction is less than $500, because of a major disaster.

Section 12 of the Senate amendment provides that the act would apply to all major disasters occurring after December 31, 1968.

Provisions of the Conference Substitute

The first section of the conference substitute is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the conference substitute authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. These funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Subsections (a) and (b) of section 3 of the conference substitute are the same as the provisions of section 3(a) of the House bill extended, however, to cover all States affected by a major disaster.

Section 3(c) of the conference substitute is essentially the same as section 3(c) of the House bill, except that the reduction from 30 to 7 days of the minimum time required to advertise the sale of national forest timber in the affected area can also take effect if the Secretary determines that the sale of the timber is necessary to salvage the value of timber damaged in the major disaster or to protect undamaged timber.

Section 3(d) of the conference substitute authorizes the President, to the extent he determines it to be in the public interest and acting through the Director of OEP, to make grants to States or political subdivisions for the purpose of removing from privately owned land timber damaged as a result of a major disaster and in turn the State is authorized to make payments to persons for reimbursement of expenses actually incurred by that person in the removal of damaged timber but such payments are not to exceed the amount that removal expenses actually exceed the salvaged value of the timber.

The salvage and cleanup of timber damaged by hurricanes or other disasters is necessary to reduce or prevent further losses from insects, fire, disease, or other causes and to facilitate the restoration of the land to a productive condition. Removal of downed and damaged timber in stream courses and flood plains to prevent building of debris in water courses is also necessary. Therefore, the conferees have agreed to the inclusion of the provisions of section 3(c)(3) and section 3(d) in this conference substitute. The grants authorized by section 3(d) are to be made for payment of expenses actually incurred in the removal of damaged timber with the limitation that these removal expenses are to be offset by the salvage value of the timber. Thus, the owner of the timber would normally salvage what he could and then apply for the difference between what he received for such salvaged timber and his actual cleanup costs to the extent such costs exceed the salvage value. If, however, the owner decided to burn or otherwise dispose of the damaged timber instead of salvaging it, his entitlement under this provision would still be limited to the difference between what he would have received if he had salvaged the timber and his actual cleanup costs to the extent such costs exceed the value of the timber if it had been salvaged.

In the administration of this provision it is the expectation of the conferees that the following guidelines, among others, would be considered:

1. A comprehensive action plan should be prepared by the State to tailor the cleanup and timber salvage operation to fit the specific situation.

2. Priorities for fund allotment should be established to guide efforts to areas where damage and pest and wildfire hazards are concentrated.

3. Approved practices and a scale of acceptable unit costs (per acre or otherwise) should be established.

4. Preexpenditure examinations of the land to be treated should be made by a qualified representative of the State to insure explanation and approval of work to be done.

5. The landowner should either show evidence of a bona fide attempt to salvage the timber through commercial timber sales or otherwise, or in the case where such timber is not to be salvaged, the salvage value of such timber should be established through an approved method for making that determination.

6. Claims for reimbursement should be verified before payment by on-the-ground, postcleanup inspection by a representative of the affected State or political subdivision.

7. States should be able to use grant funds to help organize, equip, and train work crews if necessary to expedite salvage and cleanup operations and to provide the technical assistance necessary to assist landowners in their cleanup and salvage efforts.

8. The establishment of appropriate limitations with respect to these grants which shall be based, among other factors, upon the financial capacity of the person suffering such damage to sustain such damage.

Section 4 of the conference substitute authorizes the Secretary of the Interior to give any public land entryman additional time to comply with requirements of law in connection with a public land entry in any State affected by a major disaster if the Secretary finds that because of such major disaster the entryman was unable to comply with such requirement.

Section 5 of the conference substitute is the same as section 5 of the House bill.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b)(1) of the Small Business Act the Small Business Administration to the extent the loss or damage is not compensated for by insurance or otherwise would, at the borrower's option, be required to cancel up to $1,800 of interest, principal, or any combination thereof, and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the

end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of one per centum and (B) any such loan would not be eligible for cancellation or deferral as otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

The conferees do not intend, however, in the case of any refinancing loan made under paragraph (3) of this section to permit a cancellation or deferral as authorized in paragraph (1) of this section if the loan being refinanced was originally made under paragraph (1) and a portion of such loan already was canceled in accordance with such paragraph. Thus, no borrower shall be entitled to cancellation under paragraph (1) in the case of any refinancing loan made under paragraph (3) if he already received cancellation under paragraph (1) with respect to any loan being refinanced. This would not prohibit, however, a person from receiving two such cancellations if each such cancellation was the result of damage or destruction from a different disaster.

Although there is no statutory limitation in the Small Business Act at the present time with respect to disaster loans, the SBA has imposed administratively limitations of $30,000 in the case of a home and $100,000 in the case of a business. After examination of this problem the conferees are strongly of the opinion that these limitations are presently unrealistic and should be administratively withdrawn and either not replaced with dollar limits of general applicability or if dollar limitations of general applicability are reimposed that they be made more realistic. Failure of the agency to do this should, in the estimation of the conferees, result in a statutory solution being imposed by Congress.

The Small Business Act does not prohibit loans to owners of secondary homes damaged or destroyed in a major disaster. It is, however, the policy of the Small Business Administration to restrict their loans to primary homeowners. Therefore, there is no need to change present law to allow loans for secondary homes, and no language for such purpose is included in this conference substitute. It is the intention of the conferees that this policy of SBA be revised to permit loans to be made to owners of secondary homes destroyed or damaged by a major disaster.

Section 7 of the conference substitute authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 8 of the conference substitute is essentially the same as section 4 of the Senate amendment with two changes. First, the State program for assistance must include a provision for appointment of a State coordinating officer to cooperate with the Federal coordinating officer required by section 9 of the conference substitute. It is the intention of the conferees that this requirement can be fulfilled

through the use of existing State officials and does not necessarily require the creation of any new or additional positions. The second such change is that in lieu of requiring the President to make certain reports to the Congress he is authorized to do so from time to time thus granting the President greater flexibility in carrying out these requirements.

Section 9 of the conference substitute requires the President, immediately upon his designating an area as a major disaster area, to appoint a Federal coordinating officer who shall be responsible for coordinating all Federal disaster relief and assistance and who shall be required to establish field offices to the extent necessary for the rapid and efficient administration of Federal disaster relief programs and otherwise to assist local citizens and State and public officials in obtaining the assistance to which they are entitled under the laws of the United States as promptly as is possible. This Federal coordinating officer is to operate under the OEP. It is the intention of the conferees that whenever possible the designation of this officer shall be made from among existing Federal officers and employees and shall not be deemed to require the appointment of new or additional personnel.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by (1) using unoccupied housing owned by the United States, (2) arranging for the use of unoccupied public housing, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) in excess of 25 percent of the individual's or family's monthly income.

Section 11 of the conference substitute is the same as section 6 of the Senate amendment.

Section 12 of the conference substitute is essentially the same as section 7 of the Senate amendment with clarification to insure that the assistance the President is authorized to provide to an individual unemployed as a result of a major disaster is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an indivuial under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 13 of the conference substitute is essentially the same as section 9 of the Senate amendment.

Section 14 of the conference substitute is an amalgamation of the provisions of sections 8 and 10 of the Senate amendment and authorizes the President whenever he determines it to be in the public interest and acting through OEP to make grants to a State or political subdivision for removing debris deposited on privately owned lands and in or on privately owned waters as a result of a major disaster. The State or political subdivision is authorized to make payments to persons for reimbursement for expenses actually incurred by such persons for the removal of such debris except that such payments are not to exceed the amount that the removal expenses exceed the salvage value of the debris.

The application of this provision with respect to grants for the removal of debris from privately owned lands and waters is comparable to the provisions for grants for the removal of timber from privately owned lands authorized in section 3(d) of the conference substitute, and it is the intention of the conferees that the general terms, conditions, limitations, and guidelines which are referred to in the discussion in this statement of section 3(b) shall, to the extent that they are applicable, also apply to the administration of this provision. In his determination of what is in the public interest for the purposes of this section, it is the intention of the conferees that in addition to the usual concepts of health, welfare and safety, the President take into consideration the economic recovery of the affected communities.

Section 15(a) of the conference substitute defines a major disaster as one which has been determined by the President pursuant to the act of September 30, 1950, as amended (42 U.S.C. 1855–1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Section 15(b) of the conference substitute provides that except for sections 5, 8, 9, and 13, which will be permanent, the remainder of the act will not be in effect after December 31, 1970, except to the extent necessary to apply these provisions to major disasters occurring before that date.

In providing for a limited application of this bill the conferees agreed that prior to the expiration date established in this bill of December 31, 1970, the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will be of undoubted value in making the determination of the type and content of permanent legislation.

Section 16 of the conference substitute provides a short title which is the same as that in the first section of the Senate amendment.

ROBERT E. JONES,
HAROLD T. JOHNSON,
JIM WRIGHT,
ED EDMONDSON,
WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,

Managers on the Part of the House.

○

Arrested were:

Hobson, 47, of the 300 block of M Street SW; Terris, 46, of the 1800 block of Shepherd Street NW; Booker, 28, of the 1900 block of Savannah Street SE, and Abbott, 59, of the 7300 block of Birch Avenue, Takoma Park, Md.

Also, Miss Jenny Sterns, 18, of the 1700 block of Swann Street NW; Elio Gasperetti, 42, of the 1900 block of Kearney Street NW; Louis M. Robinson, 26, of the 3700 block of Jocelyn Street NW; Robert J. Coleman, 35, of the 3600 block of 12th Street NE.

Also, Floyd H. Agnostinelli, 29, of the 1800 block of Kearney Street NE; Leonard P. Siger, 40, of the 200 block of 5th Street NE; Bruce T. Weaver, 54, of the 4100 block of 13th Street NE; Merle J. Van Horne, 36, of the 3000 block Dent Place NW; Dennis R. Livingston, 21, of the 1700 block of Swann Street NW and Clarence S. Williams, 21, of the 2100 block of New Hampshire Avenue NW.

OTHER CHARGES PLACED

In addition to unlawful entry, Livingston was charged with assaulting special police officer William A. Ladson, a felony charge. He is to appear for a preliminary hearing on the charge on Aug. 18.

Booker also was charged with simple assault (a misdemeanor) on a person identified only as William Stewart.

In the courtroom yesterday, the defendants sat quietly throughout the arraignment. Afterwards, their attorney, Landen G. Dowdey, said he felt the matter amounted to a "police riot" in the city council chambers.

Mr. NATCHER. Mr. Speaker, I have been summoned to appear before the District of Columbia court of general sessions, criminal branch, to testify on the 19th day of September, 1969, at 9 a.m., in the case of the United States against Elio Gasperatti et al.

Under the precedents of the House, I am unable to comply with this summons without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

The SPEAKER. The Clerk will report the summons.

The Clerk read as follows:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS, CRIMINAL DIVISION

The President of the United States to William H. Natcher, 233 Rayburn Building, Washington, D.C.:

You are hereby commanded to appear before the Criminal Branch of the District of Columbia Court of General Sessions at 9 o'clock a.m. on the 19th day of September, 1969 as a witness for defendants and not depart the Court without leave thereof.

Witness, The Honorable Harold H. Greene, Chief Judge of the District of Columbia Court of General Sessions, and the seal of said Court this 10th day of September, A.D. 1969.

JOSEPH M. BURTON,
Clerk, District of Columbia Court of General Sessions.

CONFERENCE REPORT ON H.R. 11582, TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS, 1970

Mr. STEED submitted the following conference report and statement on the bill (H.R. 11582) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1970, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-497)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11582) "making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4 and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 2; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: "$107,551,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: "$48,838,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 7.

TOM STEED,
OTTO E. PASSMAN,
J. P. ADDABBO,
JEFFERY COHELAN,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
JACK EDWARDS,
FRANK BOW,
Managers on the Part of the House.

RALPH W. YARBOROUGH,
ROBERT C. BYRD,
JOSEPH M. MONTOYA,
J. CALEB BOGGS,
GORDON ALLOTT,
JENNINGS RANDOLPH,
HIRAM L. FONG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11582) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—TREASURY DEPARTMENT

Bureau of Customs

Amendment No. 1: Appropriates $107,551,000 for salaries and expenses instead of $106,151,000 as proposed by the House and $108,110,000 as proposed by the Senate.

General provisions

Amendment No. 2: Inserts language concerning reimbursement for subsistence expenses of Treasury agents while on protective missions as provided by law, as proposed by the Senate.

TITLE II—POST OFFICE DEPARTMENT

Administration and regional operation

Amendment No. 3: Appropriates $133,069,000 as proposed by the House instead of $132,069,000 as proposed by the Senate.

Amendment No. 4: Deletes language proposed by the Senate to place limitation on payment of salaries and expenses of not more than twenty employees in the Office of the Executive Assistant to the Postmaster General for Congressional Relations.

Research, development, and engineering

Amendment No. 5: Appropriates $48,838,000 instead of $51,338,000 as proposed by the Senate and $46,338,000 as proposed by the House.

Operations

Amendment No. 6: Appropriates $6,141,711,000 as proposed by the House instead of $6,143,615,000 as proposed by the Senate.

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment.

TOM STEED,
OTTO E. PASSMAN,
JOSEPH P. ADDABBO,
JEFFERY COHELAN,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
JACK EDWARDS,
FRANK T. BOW,
Managers on the Part of the House.

PERSONAL EXPLANATION

(Mr. LOWENSTEIN asked and was given permission to address the House for 1 minute.)

Mr. LOWENSTEIN. Mr. Speaker, on September 4 and 5 I was out of the country on official business and consequently unable to be present on the floor. I should like the RECORD to note that had I been present on September 4 and 5, I would have voted in favor of H.R. 10105, amendments to the Motor Vehicle Safety Act; H.R. 7621, the Child Protection Act of 1969; and H.R. 12085, amendments to the Clean Air Act, and would have concurred in the Senate amendments to H.R. 11235, amendments to the Older Americans Act of 1965).

DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama. Mr. Speaker, I call up the conference report on the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, and ask unanimous consent that the statement of the Managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume that since a considerable change has been made in this bill, as I understand from hearsay, the gentleman will take some time to explain the bill in lieu of reading the report?

Mr. JONES of Alabama. I would be delighted to comply with the gentleman's suggestion.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 17, 1969.)

The SPEAKER. The Chair recognizes the gentleman from Alabama (Mr. JONES) for 1 hour.

Mr. JONES of Alabama. Mr. Speaker, I yield 30 minutes to the gentleman from Florida (Mr. CRAMER), pending which I yield myself 10 minutes.

Mr. Speaker, throughout our history, nature has struck devastating blows to the United States and to the citizens through floods, hurricanes, earthquakes, fires, and other disasters.

In the early days of the Republic, the Federal Government's responsibility to assist communities in times of great disaster was recognized. For example, in the early 1800's, the Congress extended the time for discharging customhouse bonds of the sufferers from the great Portsmouth fire.

However, it was not until 1947 that the framework for a general policy for disaster relief came into being. In that year Congress empowered the President to make surplus wartime supplies available in disaster areas.

The present policy for disaster relief was established by the Federal Disaster Act of 1950, Public Law 875 of the 81st Congress, which gives the President broad powers to provide an orderly and continuing means of assistance by the Federal Government to States and local governments in carrying out their responsibilities to alleviate suffering and damage resulting from major disasters.

Today, there are fully half a hundred Federal agencies, bureaus, and offices which have statutory responsibility for providing disaster assistance either under the provisions of the Federal Disaster Act or under statutes which give them specific authority in certain areas.

The continuing disasters which have struck with lightning fury in various sections of our Nation just since the beginning of this year have further emphasized the importance of the entire program of Federal participation in disaster relief. The Congress has firsthand knowledge of all of these disasters and several in particular were of major proportions including the catastrophes suffered by the State of California in January, the State of Ohio in July, the Southeastern States devastated by Hurricane Camille in August, and the Midwestern States on several occasions during the year.

Mr. Speaker, on July 9 of this year, this body passed and sent to the Senate H.R. 6508, the California Disaster Relief Act of 1969. This bill was a comprehensive relief bill necessitated by extensive property loss and damage in the State of California as a result of storms, floods, and highwaters during the winter of 1968–69 and the spring of 1969, and the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas. This was a good bill. However, we alerted this body on that day to several other disasters which had occurred and we specifically pointed out that the Subcommittee on Flood Control would be going out to Ohio the next week to investigate the extensive damages which had just occurred there.

The Senate later amended H.R. 6508 so as to change the bill into a general relief bill—the Disaster Relief Act of 1969—with application throughout the United States.

The House and Senate conferees met in August in an attempt to resolve differences in the legislation. The House conferees, although generally convinced that the Senate provisions had a great deal of merit, insisted at that time that additional hearings on a general bill should be held. However, during the period of our discussions, additional disasters occurred which convinced the House conferees that we could not wait for additional hearings. All the conferees were convinced that legislation was needed now—not at a later date. However, the conferees agreed that H.R. 6508 should have an expiration date of December 31, 1970, and that the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will unquestionably be of value in making the determination of the type and content of permanent legislation.

Mr. Speaker, I shall not report on all of the details of the conference agreement since the full text of the conference report and the statement of the managers on the part of the House appears in House Report 91–495 and in the CONGRESSIONAL RECORD of September 17 beginning on page H8006. However, I would like to note several specific sections.

Section 2 authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. Those funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b)(1) of the Small Business Act the Small Business Administration, to the extent the loss or damage is not compensated for by insurance or otherwise, would, at the borrower's option, be required to cancel up to $1,800 of interest, principal, or any combination thereof and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the end of the fiscal year next preceding the date of the loan annd ajusted to the nearest one-eighth of 1 per centum and (B) any such loan would not be eligible for cancellation or deferral as otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

Section 7 authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by, first, using unoccupied housing owned by the United States, second, arranging for the use of unoccupied public housing, third, acquiring existing dwellings through leasing, or fourth, acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense—including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster—in excess of 25 percent of the individual's or family's monthly income.

Section 12 authorizes the President to provide assistance to an individual unemployed as a result of a major disaster. This assistance is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an individual under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 15 defines a major disaster as

one which has been determined by the President pursuant to the act of September 30, 1952, as amended (42 USC 1855–1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Mr. Speaker, the conferees on the part of the House have met with the conferees from the other body on several occasions, and I think we have brought out an excellent bill—one that will meet the needs of many, many of our people who have been so badly hurt by these disasters.

Mr. Speaker, I commend the conferees on this side of the aisle, the gentleman from Texas (Mr. WRIGHT), the gentleman from Oklahoma (Mr. EDMONDSON), and the gentleman from California (Mr. JOHNSON), as well as the conferees for the minority side, the gentleman from Florida (Mr. CRAMER), the gentleman from California (Mr. CLAUSEN), and the gentleman from Nebraska (Mr. DENNY). This is a fine conference report. This is good legislation, and I recommend its adoption by the House.

Under leave to extend my remarks, I include for the benefit of the Members a listing of major disasters declared by the President from July 1, 1967 to date.

MAJOR DISASTER AREAS DECLARED BY PRESIDENT FROM JULY 1, 1967 TO DATE

Date of declaration	State	Type of disaster	Allocation to date
July 18, 1967	Nebraska	Severe storms and flooding	$1,250,000
Do	Kansas	Tornados, severe storms, and flooding.	1,250,000
Aug. 17, 1967	Alaska	Severe storms and flooding	7,500,000
Aug. 30, 1967	Idaho	Forest fires	1,117,800
Sept. 28, 1967	Texas	Hurricane Beulah	10,000,000
Oct. 30, 1967	New York	Flooding	525,000
Feb. 10, 1968	North Carolina	Ice storm	400,000
Apr. 18, 1968	Trust Territory of the Pacific Islands.	Typhoon Jean	8,500,000
May 3, 1968	Arkansas	Tornados and severe storm	250,000
May 4, 1968	Kentucky	Tornados and severe storms	375,000
Do	Ohio	do	270,000
May 29, 1968	Arkansas	Tornados, severe storms, and flooding.	350,000
Do	Iowa	Tornados and severe storms	720,000
Do	Oklahoma	Heavy rains and flooding	175,000
June 5, 1968	Illinois	Tornados, severe storms, and flooding.	300,000
Do	Ohio	Heavy rains and flooding	1,000,000
June 10, 1968	Texas	do	250,000
June 15, 1968	New Jersey	Heavy rains, high winds, and flooding.	3,000,000
July 5, 1968	Texas	Severe storms, high winds, and flooding.	300,000
July 30, 1968	Indiana	Heavy rains and flooding	220,000
Aug. 4, 1968	Iowa	do	650,000
Aug. 15, 1968	Minnesota	do	500,000
Sept. 9, 1968	do	do	260,000
Sept. 13, 1968	Hawaii	do	300,000
Nov. 7, 1968	Florida	Hurricane Gladys	$750,000
Jan. 26, 1969	California	Severe storms and flooding	38,000,000
Feb. 15, 1969	Arkansas	do	350,000
Apr. 18, 1969	Minnesota	Flooding	2,500,000
Do	North Dakota	do	3,700,000
Do	South Dakota	do	1,000,000
Apr. 19, 1969	Nevada	do	150,000
Apr. 25, 1969	Iowa	do	1,250,000
May 1, 1969	Wisconsin	do	500,000
May 19, 1969	Colorado	Severe storms and flooding	2,500,000
June 6, 1969	Illinois	Flooding	500,000
July 11, 1969	Tennessee	Severe storms and flooding	200,000
Do	Wisconsin	do	200,000
July 15, 1969	Kentucky	do	200,000
Do	Ohio	Tornado, severe storms, and flooding.	2,000,000
Do	Kansas	do	500,000
Aug. 5, 1969	Minnesota	Heavy rains and flooding	150,000
Aug. 14, 1969	Iowa	do	500,000
Aug. 15, 1969	California	Flooding	250,000
Aug. 18, 1969	Mississippi	Hurricane Camille	1,000,000
Aug. 19, 1969	Louisiana	do	1,000,000
Do	Pennsylvania	Severe storms and flooding	400,000
Aug. 23, 1969	Virginia	Severe storms (Camille) and flooding.	1,000,000
Aug. 26, 1969	New York	Heavy rains and flooding	250,000
Aug. 30, 1969	Illinois	do	500,000
Do	Vermont	Severe storms and flooding	200,000
Sept. 3, 1969	West Virginia	Severe storms (Camille) and flooding.	220,000

Mr. COLMER. Will the gentleman yield for some clarifying questions?

Mr. JONES of Alabama. Certainly, I will be glad to answer any questions proposed by the distinguished gentleman from Mississippi, the chairman of the Rules Committee, who has been a tower of strength and support in expediting this legislation to fruition. The gentleman from Mississippi has furnished the conferees with invaluable information and advice which we have been able to utilize in assisting the citizens of the areas devastated by Hurricane Camille and the other natural disasters which have befallen our great country. At this time I would also express my appreciation to the distinguished majority whip, the gentleman from Louisiana, HALE BOGGS. The gentleman provided invaluable assistance not only in the Camille disaster but also the Hurricane Betsy disaster. Let me also commend Congressman HÉBERT and CAFFERY of Louisiana for their outstanding assistance. Congressman CAFFERY, a new member of the Committee on Public Works accompanied us on the entire trip throughout the southeastern States in our inspection and survey of the damage caused by Hurricane Camille.

Mr. COLMER. I thank the gentleman from Alabama for his kind remarks. I commend him for his truly outstanding work on this report. My first question is in regard to section 6.

In the reference applicable to Small Business Administration, I am not clear whether the 5-percent interest as called for in subsection 2A would apply just to those persons who have not tried to obtain financial assistance from private sources, or whether it would also apply to individuals who were unable to obtain, even though they try, financial assistance from private sources. In other words, when does the 3-percent interest apply and when would the 5- or 5¼-percent interest apply?

Mr. JONES of Alabama. The 3-percent interest covered under section 6(1) applies to all those who cannot obtain financial assistance from private sources. The higher rate specified in section 6(2) applies to those persons who would normally have other sources of credit available because of remaining assets.

Mr. COLMER. My second question pertains to section 14.

Under the provisions providing for reimbursement of expenses actually incurred for removal of debris, would this apply to the pecan tree which after having been stripped of its limbs is dead, but actually still may have a remaining stump of some several feet and fragments of limbs? Pecan growers will tell you that in order to be able to use land in the pecan orchard again, the whole trunk plus a good portion of its roots must be removed for the land to be reusable again.

Mr. JONES of Alabama. The answer to your question is "Yes."

Mr. COLMER. Does this legislation aid the oyster planters whose beds were damaged by Hurricane Camille?

Mr. JONES of Alabama. The Farmers Home Administration is authorized under existing laws (7 U.S.C. 1963 et seq.) to make emergency loans to established oyster planters in areas designated for this purpose by the Secretary of Agriculture upon his finding that a natural disaster has caused severe production losses or destruction of oysterbeds making it impossible for oyster planters to obtain credit from other sources. Upon the Secretary's making the finding that there has been severe production losses or destruction of oysterbeds, then all the provisions of section 7 of the conference report would be applicable.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. JONES. of Alabama. I yield to the gentleman from Ohio.

Mr. HARSHA. I thank the gentleman for yielding. I would like to ask a couple of questions of the gentleman. As he knows, the State of Ohio underwent one of these great disasters in the early part of this year, and the committee very graciously and kindly, at my request, went out and visited the area. They did make an examination, and if I am correct in my understanding, inasmuch as the effective date has been moved back to June 30, 1967, and there is no geographical limitation or restriction to this conference report, Ohio, if it meets the other requirements, would be eligible?

Mr. JONES of Alabama. The disaster to which the gentleman referred to was declared a national disaster under the 1950 act by the President on July 15, 1969.

Mr. HARSHA. That is correct.

Mr. JONES of Alabama. That Ohio disaster is covered in this bill.

Mr. HARSHA. The only prerequisite is that the President must declare the area a disaster?

Mr. JONES of Alabama. That is correct.

Mr. HARSHA. Mr. Speaker, I thank the gentleman. I thank the conferees for considering the problems we had in Ohio.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

Do I understand that this goes back to mid-1967, and for its retroactivity as far as disasters are concerned this may embrace over 50 separate disasters?

Mr. JONES of Alabama. I believe it is 51 separate disasters.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Are these what we ordinarily characterize as natural disasters which we refer to here?

Mr. JONES of Alabama. Yes, under the act of 1950.

Mr. HALL. Would that include man-made disasters from riots and insurrection, in the opinion of the gentleman?

Mr. JONES of Alabama. No, that would not.

Mr. HALL. Insofar as the provisions of the Senate amendment are concerned, as far as section 3 is concerned, the limitations are placed there for home owners and business concerns under the Small Business Act, of $30,000, and business concerns up to $100,000 without regard to whether or not the assistance could be provided by private sources. In the opinion of the distinguished gentleman from Alabama, the chairman of the committee and of the conference, does this eliminate the need for participating loans for enhancing the value of restored and rehabilitated property?

Mr. JONES of Alabama. It might be. It could be a participating loan, but it provides the total amount canceled shall not exceed $1,800, as provided for there. The language contained in the conference report is the same as that contained in the act of 1965. There has not been any departure.

Mr. HALL. In other words, for actual restoration loans from natural disasters, the loans would be within certain limitations, 3 percent from SBA for restoration, but if there was enhancement, it would be at the 5-percent rate?

Mr. JONES of Alabama. The gentleman is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, does the conference report in any way to attempt to fix interest rates?

Mr. JONES of Alabama. No, it does not attempt to fix interest rates.

Mr. GROSS. Or recommend anything? Does it deal with interest rates in any regard?

Mr. JONES of Alabama. Mr. Speaker, on that I will defer to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Speaker, in one section of the bill reference is made to the interest rates as they are applicable to the amount of interest that would be charged by the Government or agency of the Government to an individual on a loan. In that instance it declares any loan made under the authority of this paragraph shall bear interest at a rate equal to the average interest rate on all interest bearing obligations of the United States having maturities of 20 years or more.

Mr. GROSS. But it does not, if the gentleman will yield further, in any way subsidize interest rates?

Mr. WRIGHT. No. I would say to the gentleman from Iowa, it definitely does not. The only conceivable provision which might be so construed is a provision which permits forgiveness of loans up to $1,800 on a small loan, and the individual himself may choose whether that forgiveness comes in the interest or the principal or both.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Alabama (Mr. EDWARDS).

(Mr. EDWARDS of Alabama asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, the conference committee report on the California Disaster Relief Act now before us merits our support. We have had many disasters strike this country over the years, the most recent of which is Hurricane Camille which struck my district and the districts of several of my colleagues along the gulf coast. And each time we have a disaster strike, the Congress finds it must try to pass quickly some measures to provide additional relief for the victims over and above that already funded through existing programs. However, this conference committee report would provide for permanent authorization under specific guidelines and would also encourage disaster planning on the part of the various jurisdictions likely to be affected.

Back in the 1930s, damage claims from disasters amounted to less than $100 million per year. Over the years, this has increased to several hundred million and this year it appears that—with the Camille disaster claims over half a billion dollars—the total costs of natural calamities will exceed $1 billion.

The reasons for these increasing costs are many. Inflation and the high cost of rebuilding homes are two reason. But in general, land has become dear and people are moving into low-lying areas or areas of high damage risk that were previously avoided. More and more homes are dotting our shorelines or our rivers sides. And these people find it increasingly difficult to obtain flood or water damage insurance for their homes and property from private insurance companies.

We are initiating programs—such as the flood insurance program backed by HUD—which will help bring relief to these people and not undercut private industry. But in the meantime—and I am sure for a long time into the future—the Federal Government will have to answer the pleas of the disaster victims for the additional aid necessary to help them restore normalcy to their lives after disaster strikes.

But if that assistance is to be truly worthwhile, it must come at the time the disaster strikes—the time when help is most needed.

The California Disaster Relief Act will provide help—but almost 1 year after the disaster occurred. A few weeks ago, I introduced legislation along with several of my colleagues from the Gulf Coast area, for relief for Hurricane Camille victims, but a month has already past since that disaster and the people need help now.

This revised bill agreed to in the conference committee will provide more immediate relief for disaster victims. More relief for the homeless families to help them rebuild. More relief for the business man to help him restore his enterprise. More relief to the communities to help them return to normal living.

Mr. Speaker, when we suffer personal injury, we do not wait 6 months or a year and then go see a doctor. We seek help immediately. So, too, should we provide for immedate help for those who suffer so much in time of crisis during hurricanes and other such disasters.

I urge adoption of the conference report.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Virginia.

(Mr. POFF asked and was given permission to revise and extend his remarks.)

Mr. POFF. Mr. Speaker, I want to speak my appreciation, and that of those I am privileged to represent, to the conferees on the part of the House for the role they played in making provision for the plight of the victims of Hurricane Camille in Virginia.

Most of the tragic loss of life occurred in Nelson County in our Sixth District. In addition to Nelson, the counties of Amherst, Alleghany, Bedford, and Botetourt and the cities of Covington, Clifton Forge, and Lynchburg suffered extensive property losses. Many property owners, including farmers, businessmen, orchardists, and homeowners, were left penniless. Some have no physical assets, no collateral, and little means of securing a loan on terms and conditions they can reasonably meet.

The House delegation from Virginia joined in a letter of appeal to the conferees to broaden this legislation to include flood victims in our State. Our appeal was heard. Our petition was answered. The response was most generous. Our gratitude is most genuine.

Mr. CRAMER. Mr. Speaker, I yield myself such time as I may consume.

Very briefly, Mr. Speaker, the conferees on both sides of the aisle and with the other body worked out a conference report which was unanimously adopted.

In my opinion, it is the most forward-looking disaster relief legislation to come out of this Congress since 1950.

We have a serious problem with regard to these continuing national disasters. The problem has been we have been treating them disaster by disaster, and we have been treating them 8 or 10 or 12 months after the disaster occurred, and when badly needed relief comes too late.

Camille is a perfect example. We visited Camille. I have never seen such devastation in my life. Those people are entitled to immediate relief. The only manner in which they could get immediate relief was to add Camille to the California disaster legislation, in view of the general legislation pending in the other body and before the conference. We did this. As a matter of fact, this, in my opinion, is one of the most compassionate pieces of legislation we have had on the floor in some time.

This bill provides permanent relief in many instances, so that if another situation happens immediate relief will be available, and immediate response by the Federal Government in the proper area, with immediate cooperation with the Federal Government. It immediately triggers on the part of the President's proclamation, with that as the triggering device, for the same type of relief we have been making available on a piecemeal basis.

What is more fair than that approach? This is a compassionate conference report before the House. I trust the Members will support it unanimously.

A few weeks ago, Hurricane Camille came thundering in off the Gulf of Mexico. It struck the coast a devastating blow, causing extensive loss of life and property damage in vast areas of Mississippi, Louisiana, and Alabama. Torrential rains followed in its wake as far north as Virginia where the rampaging James River triggered extensive flooding and further casualties.

Hurricane Camille, I regret to say, is but one of many natural catastrophes which struck the Nation in recent years. Since July 1, 1967, alone, over 51 major disasters have occurred. Thirty-two States suffered heavy casualties and damage in the billions of dollars. Entire communities were laid low, entire families were wiped out.

While there is, as yet, nothing we can do to prevent a hurricane or earthquake from happening, a great deal can be done to prepare for such emergencies when, as, and if, they occur.

Disaster relief falls under three main headings. The first involves the preparation of contingency plans, the stockpiling and placement of materials and equipment, and the training of people to handle them. The second involves activating these plans, programs, and procedures during crisis periods in order to provide emergency services for victims of a disaster. This includes coordinating the efforts of Federal, State, and local authorities in rescue and relief operations. The aim is to alleviate the immediate impact of a natural disaster by making food, shelter, health, transportation, and other essential services available to its victims.

Finally, there is the recovery stage, during which devastated areas are rebuilt, rehabilitated, and made productive again. Where public facilities have been wrecked, utilities destroyed, the industrial base disrupted, and housing wiped out, the restoration phase can prove a massive undertaking requiring billions of dollars to fund and years to complete.

Until comparatively recently, the role of the National Government in disaster relief was relatively minor. We left the burying of the dead and the picking up and putting together of the pieces pretty much to State and local authorities and to the victims themselves. While Washington overintruded in many areas, disaster relief, I regret to say, was not one of them. But, over the past decade, a change in thinking has occurred. Congress has begun to extend the Federal role and increase the Federal contribution in order that those whose homes and livelihoods have been destroyed may be helped to recover as quickly and expeditiously as possible.

Our approach, until now, has been to treat each disaster individually. While the President was authorized to participate, through the Office of Emergency Planning and other agencies, in immediate rescue and relief operations, getting the devastated area going again and its people back on their feet again was handled retroactively on a crisis-by-crisis basis. This approach has the advantage of tailoring the relief to the calamity. But it also has many shortcomings, chief among them are:

First, the timelag between the disaster and congressional recognition and relief;

Second, the lack of uniformity in the type of relief extended;

Third, the failure of coordination between the agencies involved;

Fourth, the hit-and-miss nature of such an approach which recognizes some disasters and ignores others;

Fifth, last but not least, is the lack of a carefully thought out and administered Federal approach to meeting disasters to insure that benefits are maximized and the impact and duration of the calamity minimized.

As Members of this body know, I represent a district in Florida which is hurricane prone and conscious. Because of my deep interest and concern, when Camille struck a few weeks ago, I accompanied the Flood Control Subcommittee of the Public Works Committee, of which I am ranking minority member, on an inspection trip of the Virginia and the gulf coast disaster areas. I cannot begin to describe the fury of the storm or the devastation it left in its wake. In Mississippi alone, the zone of destruction was 30 miles long and a half-mile deep. Upon my return to Washington what I had witnessed at first hand moved me to send the following telegram to the President.

Having just returned from a Public Works Committee inspection trip of the Gulf Coast and Virginia disaster areas, I was shocked by the nature and extent of the devastation caused by Hurricane Camille. The cost in lives was appalling. Estimates of public and private damage exceed $1 billion.

Local, State, and Federal authorities are to be congratulated for the help and assistance they rendered to victims of the storm. But the task of rebuilding has just begun. Clearly, as we did following the Alaska earthquake, Northwest flooding, Hurricane Betsy, and the recent California disaster, Congress will have to provide additional rehabilitation relief to the stricken areas and their suffering people.

In my judgment, Camille's unprecedented magnitude and devastation makes it an appropriate time to consider broad new legislative approach for coping with national disasters of this sort.

To that end, I respectfully request that your Administration begin an immediate review of existing programs in order that you may recommend to Congress measures for supplementing and expanding them at the earliest possible date.

I know that President Nixon shares my concern for victims of Camille-type disasters and will do all in his power to comply with my request. For us in this body, it is evident that the time has come for a new look at disaster relief legislation. An arsenal of options and approaches for dealing with all types of emergencies must now be considered. In the future, the President must be permanently clothed with authority which will enable him to instantly mobilize the vast resources at his command in order to relieve any area afflicted by a natural disaster and restore it as a functioning social, economic, industrial, and political unit as soon as possible.

The rationale for such an approach is simple: When a disaster hurts any area of the Nation, it hurts the entire Nation and all must share in the task of overcoming its effects.

It was with this idea in mind that conferees of the House and Senate met last week to work out an acceptable compromise on the California disaster relief bill. While differences between the House and Senate versions were substantial, a compromise was eventually agreed to permitting us to extend immediate relief to victims of recent national disasters like Camille and California, while laying the legislative foundation for framing a comprehensive permanent approach.

Under its provisions the President is authorized to provide: temporary dwelling accommodations for displaced individuals and families, matching funds for permanent road repairs, SBA loans for homes and businesses destroyed, farm loans for crop damage, grants for debris removal on both public and private property, the equivalent of unemployment insurance for all whose livelihood is destroyed by a disaster, an enlarged food stamp program for disaster victims, and relief for timber growers and purchasers.

Looking to the future, the conference-approved bill authorizes the President to provide assistance to States for developing comprehensive plans and practicable programs for assisting individuals suffering losses as a result of major disasters.

The provisions of this bill, with a few exceptions, will be effective from June 1, 1967, until December 31, 1970. It may, of course, be extended in its present form beyond that time.

But it is my hope that the interim period will be used by the Congress for an in-depth study of the entire disaster

relief field from flood insurance to debris cleanup; from preventive measures to rehabilitation and renewal. If it is, by the time the present bill expires, further permanent legislation outlining the Federal role can be ready for consideration and, hopefully, approval by the Congress.

The time is past when what happens in California, Minnesota, Texas, or Florida can be treated as an isolated event of little or no concern to other sections of the country. Just as we assist permanently depressed areas to become economically self-sufficient, we must assist areas temporarily distressed and depressed by a major disaster to become self-sufficient again.

It is my fervent hope and belief that Congress will rise to meet this legislative challenge and responsibility. I know that I shall do all in my power to do so.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. The gentleman is familiar, I know, with the disaster we had over in northern Virginia just prior to Hurricane Camille.

Mr. CRAMER. I am, I say to the gentleman. I could not drive home that night on Shirley Highway.

Mr. BROYHILL of Virginia. Actually, there were two major floods in 1 week, causing damages in excess of several million dollars. I realize there is no specific area location included here in the conference report. My questions is: If the President would declare this particular area I am talking about at the present time, the Arlandria area over in northern Virginia, as a major disaster area, would that area be eligible for benefits under this conference report?

Mr. CRAMER. In answer to the gentleman's question, "Yes."

Mr. BROYHILL of Virginia. I thank the gentleman.

Mr. WINN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kansas.

Mr. WINN. I appreciate the gentleman from Florida yielding.

I want to congratulate the conferees for the work they have done in the field in line with national disasters I should like to agree with the gentleman from Florida that we seem to have a policy of taking these step by step following the national disasters that hit this country regularly.

Mr. CRAMER. And, I say to the gentleman, often treating them differently.

Mr. WINN. That is right, with variations. I am sure this will have to continue somewhat along this line.

I should like to point out that perhaps this being too late, or the fact that the horse is out of the barn, is not always to be the situation. Possibly we could change some of these national disasters by additional studies.

I should like to point out that many of us have introduced bills along this line, and particularly one dealing with tornadoes, which affect this country and cost this country millions and millions of dollars, as well as the lives of our citizens.

I would hope that in the future some of the committees involved in this body and in the other body would take the time to look in advance, a little bit further down the road, to see if we might do something prior to the national disasters that affect this Nation.

Mr. CRAMER. I thank the gentleman. I will say that was one of the reasons why the December 31, 1970, date was written into the measure, because it is contemplated our committee will be considering these various questions next year.

Mr. WINN. I thank the gentleman.

Mr. BROYHILL of Virginia. Mr. Speaker, it is most difficult to adequately express the gratitude I share with my fellow Virginians and with all members of the Virginia delegation to our colleagues on the Committee on Public Works who were able, in conference, to include in the Disaster Relief Act of 1969 relief for Virginians who have suffered great losses by storms, floods, and high waters during the past 2 months. While I am sure the Congress would have, in time, seen fit to provide relief for the victims of Hurricane Camille, the relief is needed now, not at some point in the future, and our distinguished colleagues have by their quick and decisive action alleviated many additional weeks and months of suffering for these unfortunate folks.

Mr. Speaker, I am also pleased that the victims of flooding in my own northern Virginia district, those long-suffering home and property owners along the stream known as Fourmile Run bordering the city of Alexandria and Arlington County, will also be eligible for relief under provisions of this measure. These good people were driven from their homes and businesses by high water in 1963, suffered lesser floods in 1965 and 1966, then twice in 2 weeks this summer. Many of them have all but given up hope of ever rebuilding or reopening, having accumulated debts through small business disaster loans on such frequent occasions that it is financially impossible for them to take on additional obligations.

We have received encouraging word that the North Atlantic Division, Corps of Engineers has now recommended favorably to the Board of Engineers for Rivers and Harbors a flood-control project the cost of which will be a Federal contribution of $9,926,000 and a local government contribution of $6,079,000, to replace two highway and four railroad bridges, provide an improved channel, and levee and flood wall protection. While we welcome this action, we have been since 1963 trying to obtain this Federal help, and it was only made available to us after the House Committee on Public Works adopted a resolution in October 1966 which, in effect, overruled the Baltimore district engineer's recommendation against Federal participation because of the infrequency of floods they anticipated. We still are a long way from having this project built, Mr. Speaker, as it must be approved by the Board and then presented in an omnibus public works bill in January unless we are able to include it in another measure earlier. But the end is at least in sight, if our people can hold on just a little longer.

Relief under provisions of H.R. 6508 will enable these people to hold on a little longer. They have suffered great loss for many years because of bureaucratic delay. I believe we have a moral obligation to help them. Their problem was created, in large measure, by the tremendous increase in runoff along the streambed due to construction and paving of areas upstream as the Washington metropolitan area has grown into the suburbs. Coincidentally, one of the two highway bridges which must be expanded to carry the increased flow of water is a U.S. highway bridge, and the other a National Park Service bridge.

Mr. Speaker, the people of Arlandria cannot wait for completion of the flood control project. Without funds to recoup their losses from the July and August floods they cannot rebuild or reopen. I know I speak for all of them when I say thank you, from the bottom of my heart, to our colleagues who acted to relieve them in conference. And I urge with all the conviction that I can muster adoption of the conference report on H.R. 6508.

Mr. CRAMER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DON H. CLAUSEN).

(Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Speaker, I will only take a brief moment to express my appreciation to all of the conferees for the exceptional effort made during what I think will be regarded as one of the fastest and most responsive pieces of action on the part of a legislative body in responding to a major disaster such as hurricane Camille. I believe what the gentleman from Florida and what the gentleman from Alabama said is certainly deserving of recognition by the Congress. It is our hope that we will move forward into hearings and come up with the kind of legislative action that will give the necessary relief needed by the people immediately.

Mr. Speaker, the conference report accompanying the Disaster Relief Act of 1969 reveals, I believe, the results of many hours of hard work and statesmanlike effort upon the part of the conferees from both bodies. As we all know, while the California Disaster Relief Act was in conference, Hurricane Camille descended upon the gulf coast killing hundreds and destroying millions of dollars worth of property as it went. It became imperative upon the conferees to act to provide relief to the sufferers of the ravages of Camille. In a very short time, we were able to modify our original bill to provide for help to the citizens of those States.

I wish to assure the people of California, that the ravages of a subsequent disaster did not result in the sufferers of the results of the California storms and floods being forgotten. All the essential provisions of the California Disaster Re-

lief Act that this House acted upon favorably in its original passages of H.R. 6508 have been included in the Conference reported bill.

While specific reference to California has been deleted, the language of the act preserves to the people of California, as well as to those of other States suffering major disasters the benefits of the original California Disaster Relief Act.

Indeed in certain cases the benefits of that act have been increased. For example, when the President finds it in the public interest, he is authorized to make grants to any State or political subdivision for the purpose of removing debris disposed on privately owned land or waters as a result of such a disaster. The State in its turn is authorized to make payments to any person for the reimbursement of expenses actually incurred by him in removal of debris. This is a new provision of the law and the people of California may well find that it is of benefit to them.

Federal assistance to those who have become unemployed as a result of the disaster is made available under section 12 of the conference-reported bill.

Mr. Speaker, I believe that the people of California will find that the conferees have taken good care of their needs while at the same time providing much needed assistance for their fellow Americans in the gulf States who suffered the holocaust of Camille.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I merely want to take this moment to express a word of personal pride in the members of the Committee on Public Works who have sacrificed so generously of their own time in order to go into these disaster areas and go over the ground and see at close range what the problems are. I know the chairman of our conferees and the ranking minority member have both given many hours to it. The staff has actually hazarded life and limb in going into some of these areas where conditions have been very drastic and dangerous. I think the entire House owes a debt of gratitude to the gentleman from Alabama (Mr. JONES) and the gentleman from Florida (Mr. CRAMER) and the staff and other members of the Committee on Public Works for the job that has been done in these disaster areas.

Mr. CRAMER. Mr. Speaker, I certainly thank the gentleman for his kind remarks.

(Mr. CRAMER asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, as a Member of Congress from California and a member of the Public Works Committee, I wish to express my support for H.R. 6508 as recommended by the House conferees.

It was my privilege to travel with the Subcommittee on Flood Control during its survey of the damage caused by the severe storms in California during the month of January. I had the opportunity to participate in 4 days of hearings, at which time a great deal of testimony from the executive agencies and from the State of California concerning the extent of damage was received. We observed, both on the ground and from the air, damage in many areas and the loss experienced to both public and private property.

I was also pleased to join with a number of my California colleagues in sponsoring the California Disaster Act.

During debate on H.R. 6508 on July 9, I had the opportunity to advise my colleagues in this body of the extent of the damages to California and why I considered the bill as reported by the Committee on Public Works to be desirable. I shall not repeat at this time the detailed information which I offered. However, I rise at this time to offer my support for the recommendations of the conferees. The bill as recommended would have national application in lieu of the original bill, which was limited to California. In addition, several provisions which were recommended by the Senate have been added—provisions which I believe strengthen the ability of the Federal Government to respond at the time of greatest need to those areas devastated by a major disaster.

Mr. Speaker, I would like to stress the need for relief and assistance to the citizens of California who were victimized by the 1969 storms as well as to the citizens of other areas who have suffered so greatly by cvents which could not be foreseen or controlled. This legislation is vitally needed. I urge that my colleagues support the conference report.

Mr. JOHNSON of California. Mr. Speaker, as the principal author of H.R. 6508, I rise to express my wholehearted support for the recommendations of the conference report which was filed in the House of Representatives on September 17.

As you will recall, H.R. 6508 was introduced initially in the wake of the extremely heavy storms which hit California last January and February causing an estimated $425 million worth of damage and causing the death of more than 100 people. The House Public Works Committee recommended enactment of H.R. 6508 perfected as a result of what we on the committee learned during field hearings held even as the heavy rains continued and also in hearings subsequently held in Washington.

The bill initially was intended as specific disaster assistance for the State of California. Its provisions were tailored to this storm. When the bill reached the Senate, the House-approved language was stricken entirely and new, general disaster relief proposals were substituted. We in California have no hesitation about giving full support to the omnibus approach to disaster relief; however, the provisions of the Senate bill would have come too late for California. Accordingly, the Senate-passed version was not acceptable to those of us who were trying to provide relief for California.

A preliminary meeting of the House and Senate conferees was held shortly before the August recess. During the recess, as we all know, this Nation suffered another great natural disaster. Hurricane Camille raged across the Gulf Coast States and then spent its last energies in a deluge which caused great loss of life, human suffering, and property damage in the James River area of West Virginia and Virginia.

Immediately after the August recess, conferees received testimony regarding the Hurricane Camille disaster and set to work to draft a piece of legislation which would accomplish not only the purposes of my original bill, H.R. 6508, but also would provide a basis for long range disaster relief and at the same time, offer immediate assistance to the people of Mississippi and its gulf coast neighbors and the people of West Virginia and Virginia areas devastated by Hurricane Camille.

Mr. Speaker, I believe the legislation which we have before us today accomplishes this purpose. It provides assistance for the rebuilding of the highways, roads, and streets which are so important for the economic survival of so many of our communities. When transportation lines are cut, the economy strangles.

For individuals, the proposal offers a measure of help in rebuilding through improved small business and farmers home emergency disaster loan programs. For the future, provisions are made for long-range disaster relief planning and improved procedures are established for housing and feeding disaster victims.

Because the Second Congressional District of California, which I represent, is composed of an area largely dependent upon national forest timber for its economic stability, and because of the tremendous damage caused to forests of the Southern States by Hurricane Camille which blew down 1 billion board feet of timber, I would like at this point to emphasize the provisions of this proposal which relate to timber.

I know from past sad experience what happens to timber dependent communities when their forests are destroyed by winds, storms, or fires. I also know that by quick action, some of this loss can be salvaged through clearing the forests, selling the down timber, and milling of the lumber before the effects of rot, disease, and insects destroy the commercial value of the wood. It is for this reason that we have included in the disaster recommendations before you today, some provisions of great importance to the U.S. Forest Service and the other timber areas of the Nation. At this point, I would like to summarize these provisions.

A provision with the most immediate urgency is the authority given to the Forest Service to reduce the period required to advertise a timber sale from the normal 30 days to only 1 week in the case of emergencies. This provision alone can expedite greatly the clearing of down timber and increase greatly the chances of salvaging the wood. In Camille devastated areas, the Forest Service has nearly 100 million board feet of salvagable timber down on the ground.

The 7-day sale has worked in specific disasters in the past, including the Pacific Northwest disaster, when high winds and heavy storms hit northern California, Oregon, and Washington at Christmastime, 1964. We feel that these pro-

visions should be extended to other disaster areas.

Another major problem involving Forest Service timber sales centers on road construction required as part of these sales. Under timber sale contracts entered into since 1965, provisions have been made for reconstruction, at Federal expense, of those roads constructed by timber purchasers as part of their contractual obligations, but not yet accepted into the forest road system. Timber contracts were changed to provide this as a result of our experience in the 1964 Pacific coast storms. There are outstanding, however, some contracts which predate the revisions. We have provided that in these instances the timber purchase will be treated in the same manner as those wth the more up-to-date contracts.

One final provision relating to timber salvage concerns the private timber, and in the wake of Camille, probably 90 percent of the timber down is privately owned. As I indicater earlier, down timber must be removed rapidly in order to restore the lands to productivity and permit rebuilding of devastated economies. Additionally, down timber often clogs streams and flood plains, preventing proper drainage. The legislation before us today would permit the Federal Government to assume a portion of the cost of removing this timber. This cost would not exceed the cost of actually clearing the timber from the land, less whatever the salvage value of the timber. The program would be administered by States or local political subdivisions. The conference report clearly establishes the guidelines under which this program would be administered in the public interest.

Mr. Speaker, I am proud to have been one of the conferees which drafted this final version of my bill, H.R. 6508, which I am certain will prove most beneficial not only to those who have suffered so greatly in recent weeks, but also those who may in the future feel the lash of nature's wrath.

May I commend the chairman of the House conferees, our good friend, Representative BOB JONES, for an outstanding job in bringing to the House of Representatives a fine bill. May I also commend the chairman of the Public Works Committee, Representative GEORGE FALLON, for his leadership in this effort, and may I thank my colleagues on the committee and in the conference for their assistance in this important matter.

And, finally, I urge my colleagues here today to approve the conference report for I believe that this is a good bill, a bill that will help our fellow Americans when they need it most.

Mr. FALLON. Mr. Speaker, the conference report which is before the House at the present time is on a bill which the Subcommittee on Flood Control of the Committee on Public Works has worked on for many months.

The conferees on the part of the House have met with the conferees from the other body on several occasions and have arrived at a sound measure which would permit the Federal Government to act in a rapid and meaningful manner when a disaster occurs.

I believe we have learned through sound engineering that all but the most unusual floods can be prevented and damages minimized. However, short-sighted fiscal policies which delay construction of badly needed projects emphasize the need for Federal relief after the occurrence of disasters. In California alone, completed or useful projects of the Corps of Engineers constructed at a total cost of $872 million prevented far greater damages which would have otherwise occurred without these works. The most reliable estimates of the damage prevented during this one period is about $1.6 billion.

Mr. Speaker, I wish to commend the conferees for their fine work in bringing forth this legislation. I especially wish to congratulate the gentleman from Alabama (Mr. JONES) for his usual excellent job. Over the years, the gentleman has traveled the length of this Nation at a moment's notice to see what he, as chairman of the Subcommittee on Flood Control, could do to aid our citizens stricken by disasters.

Mr. Speaker, I commend the conferees on the minority side, the gentleman from Florida (Mr. CRAMER), the gentleman from California (Mr. CLAUSEN), and the gentleman from Nebraska (Mr. DENNEY), as well as the gentlemen of our side of the aisle, the gentleman from Texas (Mr. WRIGHT), the gentleman from Oklahoma (Mr. EDMONDSON), and the gentleman from California (Mr. JOHNSON).

This is an excellent conference report. This is needed legislation, and I recommend its adoption by the House.

Mr. MARSH. Mr. Speaker, it is appropriate that we be considering means of broadening programs of disaster assistance in view of the extent of disaster damage and suffering this year. Many communities will be grateful to the conferees, I am sure, for the recognition they have shown in extending the geographic coverage of the bill—particularly those struck by Hurricane Camille.

Portions of the congressional district which I represent, the Seventh District of Virginia, were hard hit as a result of this storm. I refer specifically to the counties of Albemarle, Rockbridge, Fluvanna, Augusta and to some extent Bath, as well as the cities of Buena Vista and Waynesboro; the towns of Glasgow, Scottsville, Bremo Bluff, and Columbia; such communities as Howardsville in Albemarle County, which was almost obliterated, and other settlements in the flood area which felt the full devastation of this storm.

The areas on which this storm visited extremely heavy rains received damage that was extensive, and the effects of it will be prolonged. I would describe the types of losses in three categories:

PERSONAL

This involved in a number of instances the loss of life and homelessness. Real and personal property losses, including homes, household goods and livestock, was a loss that was felt by literally thousands of people. In many instances, the loss of property cannot be recouped in a short period of time because of drained family and business resources. Damage to household furnishings such as refrigerators and stoves usually requires replacement, not repair.

COMMERCIAL DAMAGE

In this category would be included substantial areas of damage that relate to the economic health and viability of these communities. In a number of instances, complete stocks of merchandise of small businesses were totally destroyed over a very wide range. In fact, almost the entire downtown commercial section of the city of Buena Vista was inundated. Only a few of these business establishments escaped the effects of the flood. Far-reaching implications under this category of damage lie in those inflicted on industries and again, in Buena Vista, some five major industries of that community were flooded. This has a severe impact on the livelihood of literally hundreds of workers. The damage is sometimes not apparent, but arises from water having covered electric motors, generators and other equipment which, in some instances, has become useless without either replacement or extensive repair.

PUBLIC DAMAGE

This is damage principally to major capital improvements of a public or quasi-public service nature. It includes destruction of paved streets and municipal improvements; ripped up water and sewer lines and damage to pumping stations and sewage treatment plants. It also includes major highway damage to bridges and roads, as well as extensive rail damage to trestles, roadbeds and rolling stock and rail facilities. This damage also has long-range implications and cannot be corrected readily.

I should like to commend the Federal agencies for the dispatch with which they moved, notably the Small Business Administration and the Farmers Home Administration and the emergency agencies associated with Federal, State, and local government. Not only did they make substantial contributions during the disaster, but the speed and skill with which they moved in the trying hours and days immediately after the storm had passed helped save lives and property and insure to some extent economic recovery and reestablishment of family units.

There is much that remains to be done, and much of it cannot be done by government at any level. Complete restoration to the condition before the disaster cannot be attained, but, to the extent that government can, I think it should move to meet this need.

Mr. GRIFFIN. Mr. Speaker, in its finest tradition, the Congress has responded to the need for helping the victims of Hurricane Camille.

When that great tragedy hit Mississippi, West Virginia, and Virginia in mid-August, there were immediate outpourings of sympathy and assistance from every section of our great Nation.

President Nixon, Vice President AGNEW, and other administration officials expressed concern and instantly placed into motion diaster relief authorized under the law.

The leadership of the House, and the other body, offered cooperation in adopting additional legislation to aid a striken

people. You, Mr. Speaker, were especially interested in prompt action.

As usual, the chairman of the Flood Control Subcommittee of the Committee on Public Works, Hon. ROBERT E. JONES of Alabama, quickly reacted to the disaster of Camille. He and members of his subcommittee were in the area shortly after the hurricane. They spent several days on the scene observing and evaluating the great loss of human life, property and natural resources.

The first-hand knowledge acquired by the Jones committee prompted it to stimulate affirmative legislative action. The culmination of these events is reached with the conference report before the House now.

Mr. Speaker, I wish to express the gratitude of the people I am honored to represent to every Member of Congress supporting H.R. 6508.

Mr. COLMER. Mr. Speaker, I wish to record here my deep and sincere appreciation to Speaker MCCORMACK and to the Congress, for the expeditious manner in which this matter has been handled. I particularly want to express my sincere appreciation to Chairman JONES, my good friend and chairman of the Subcommittee on Flood Control of the House Public Works Committee, as well as the members of his committee, for leaving their homes during the congressional vacation and visiting the disaster area in Mississippi. There they had a firsthand opportunity to view the extremity of the disaster caused by Hurricane Camille.

Likewise, Mr. Speaker, I should like to voice not only my appreciation but the appreciation of the people of my congressional district, which bore the brunt of the fury of this destructive storm, to the President of the United States, Mr. Nixon, and the Vice President, Mr. AGNEW, for visiting the storm stricken area and pledging their support for the relief of our people. President Nixon's address to the people of Mississippi at Gulfport was enthusiastically received and his challenge to them to rebuild their devastated area was warmly received.

Mr. Speaker, I believe legislative history was made in the matter of assistance to our people in the expeditious manner in which relief was obtained. As has already been explained, it was thought wise in the interest of time to provide in the so-called California relief bill extra provisions to take care of Camille, as well as making the California disaster provisions also applicable to it.

If the regular normal and orderly procedure had been followed, the urgent assistance needed would possibly not have been received for many months. This is illustrated by the fact that the House passed the California disaster bill some 4 months ago. Subsequently the Senate passed the bill and it has been in conference since then.

I think this was a wise procedure and I was pleased to cooperate with both Senators EASTLAND and STENNIS, who both devoted much effort and time to the consummation of the legislation. Although, there is a question in my mind whether the relief and assistance provided is sufficient to take care of this tragedy insofar as the Federal Government can participate. If it proves to be inadequate, then we will just have to proceed with further and additional legislation. Of course, Mr. Speaker, as in all other legislative matters, the administration is going to be the key to the success of the legislation.

Mr. CRAMER. Mr. Speaker, a few weeks ago, Hurricane Camille came thundering in off the Gulf of Mexico. It struck the coast a devastating blow, causing extensive loss of life and property damage in vast areas of Mississippi, Louisiana, and Alabama. Torrential rains followed in its wake as far north as Virginia where the rampaging James River triggered extensive flooding and further casualties.

Hurricane Camille, I regret to say, is but one of many natural catastrophes which struck the Nation in recent years. Since July 1967 alone, over 51 major disasters have occurred; 32 States suffered heavy casualties and damage in the billions of dollars. Entire communities were laid low, entire families were wiped out.

While there is, as yet, nothing we can do to prevent a hurricane or earthquake from happening, a great deal can be done to prepare for such emergencies when, as, and if, they occur.

Disaster relief falls under three main headings. The first involves the preparation of contingency plans, the stockpiling and placement of materials and equipment and the training of people to handle them. The second involves activating these plans, programs, and procedures during crisis periods in order to provide emergency services for victims of a disaster. This includes coordinating the efforts of Federal, State, and local authorities in rescue and relief operations. The aim is to alleviate the immediate impact of a natural disaster by making food, shelter, health, transportation, and other essential services available to its victims.

Finally, there is the recovery stage, during which devastated areas are rebuilt, rehabilitated and made productive again. Where public facilities have been wrecked, utilities destroyed, the industrial base disrupted, and housing wiped out, the restoration phase can prove a massive undertaking requiring billions of dollars to fund and years to complete.

Until comparatively recently, the role of the National Government in disaster relief was relatively minor. We left the burying of the dead and the picking up and putting together of the pieces pretty much to State and local authorities and to the victims themselves. While Washington has obviously overintruded in many areas, in disaster relief, I regret to say, there is underaction and inaction. But, over the past decade, a change in thinking has occurred. Congress has begun to extend the Federal role and increase the Federal contribution in order that those whose homes and livelihoods have been destroyed may be helped to recover as quickly and expeditiously as possible.

Our approach, until now, has been to treat each disaster individually. While the President was authorized to participate, through the Office of Emergency Planning and other agencies, in immediate rescue and relief operations, getting the devastated area going again and its people back on their feet again was handled retroactively and on a crisis-by-crisis basis. This approach has the advantage of tailoring the relief to the calamity. But it also has many shortcomings, chief among them are:

First, the time lag between the disaster and congressional recognition and relief;

Second, the lack of uniformity in the type of relief extended;

Third, the failure of coordination between the agencies involved;

Fourth, the hit and miss nature of such an approach which recognizes some disasters and ignores others; and

Fifth, last but not least, is the lack of a carefully thought out and administered Federal approach to meeting disasters to insure that benefits are maximized and the impact and duration of the calamity minimized.

As Members of this body know, I represent a district in Florida which among others in Florida is also hurricane prone and conscious. Because of my deep interest and concern, when Camille struck a few weeks ago, I accompanied the Flood Control Subcommittee of the Public Works Committee, of which I am ranking minority member, on an inspection trip of the Virginia and the gulf coast disaster areas. I cannot begin to describe the fury of the storm or the devastation it left in its wake. In Mississippi alone, the zone of destruction was 30 miles long and a half-mile deep. Upon my return to Washington what I had witnessed at first hand moved me to send the following telegram to the President:

> Having just returned from a Public Works Committee inspection trip of the Gulf Coast and Virginia disaster areas, I was shocked by the nature and extent of the devastation caused by Hurricane Camille. The cost in lives was appalling. Estimates of public and private damage exceed $1 billion.
>
> Local, State, and Federal authorities are to be congratulated for the help and assistance they rendered to victims of the storm. But the task of rebuilding has just begun. Clearly, as we did following the Alaska earthquake, Northwest flooding, Hurricane Betsy, and the recent California disaster, Congress will have to provide additional rehabilitation relief to the stricken areas and their suffering people.
>
> In my judgment, Camille's unprecedented magnitude and devastation makes it an appropriate time to consider broad new legislative approaches for coping with national disasters of this sort.
>
> To that end, I respectfully request that your Administration begin an immediate review of existing programs in order that you may recommend to Congress measures for supplementing and expanding them at the earliest possible date.

I know that President Nixon shares my concern for victims of Camille-type disasters and will do all in his power to comply with my request. For us in this body, it is evident that the time has come for a new look at disaster relief legislation. An arsenal of options and approaches for dealing with all types of emergencies must now be considered. In the future, the President must be permanently clothed with authority which will enable him to instantly mobilize the vast resources at his command in order to relieve any area afflicted by a natural disaster and restore it as a functioning

social, economic, industrial, and political unit as soon as possible.

The rationale for such an approach is simple: When a disaster hurts any area of the Nation, it hurts the entire Nation and all must share in the task of overcoming its effects.

It was with this idea in mind that conferees of the House and Senate of which I was working with in the House met last week to work out an acceptable compromise on a disaster relief bill, in the House, limited to California. While differences between the House and Senate versions were substantial, a compromise was eventually agreed to permitting us to extend immediate relief to victims of recent national disasters like Camille as well as California, while laying the legislative foundation for framing a comprehensive permanent approach.

Under its provisions the President is authorized to provide —

Temporary dwelling accommodations for displaced individuals and families;

Matching funds for permanent road repairs;

SBA loans for homes and businesses destroyed;

Farm loans for crop damage;

Grants for debris removal on both public and private property;

The equivalent of unemployment insurance for all whose livelihood is destroyed by a disaster;

An enlarged food stamp program for disaster victims; and

Relief for timber growers and purchasers.

Looking to the future, the conference-approved bill authorizes the President to provide assistance to States for developing comprehensive plans and practicable programs for assisting individuals suffering losses as a result of major disasters.

The provisions of this bill, with a few exceptions, will provide an authorization from June 1, 1967 until December 31, 1970. Reauthorization, of course, will be extended in its present form beyond that time and hopefully, in 1970, in an even more effective form after we learn from experiences in the interim.

But it is my hope that the interim period will be used by the Congress for an in-depth study of the entire disaster relief field from flood insurance to debris cleanup; from preventive measures to rehabilitation and renewal. If it is, by the time the present bill expires, permanent legislation outlining the Federal role can be ready for consideration and, hopefully, approval by the Congress.

The time is past when what happens in California, Minnesota, Texas, or Florida can be treated as an isolated event of little or no concern to other sections of the country. Just as we assist permanently depressed areas to become economically self sufficient, we must assist areas temporarily distressed and depressed by a major disaster to become self sufficient again under permanent and pre-determined programs and formulas.

It is my fervent hope and belief that Congress will rise to meet this legislative challenge and responsibility. I know that I shall do all in my power to do so.

GENERAL LEAVE TO EXTEND

Mr. DON H. CLAUSEN. Mr. Speaker, it might be appropriate if I were to ask unanimous consent that all Members be permitted 5 days to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. COLMER and Mr. JONES of Alabama asked and were given permission to revise and extend their remarks.)

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEGISLATION TO BRING EMPLOYEES OF SELECTIVE SERVICE SYSTEM UNDER CLASSIFIED CIVIL SERVICE

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRIEDEL. Mr. Speaker, I am today introducing a bill which would bring employees of the Selective Service System under the classified civil service.

Many of the Selective Service employees are located in cities or counties having Federal employees of other agencies who uniformly come under the provisions of the Classification Act. Although Selective Service employees are Federal employees they have been denied many of the rights and benefits of Federal employees. They are in an anomalous situation. The step to bring them under the provisions of the Classification Act is long overdue. The large proportion of Selective Service employees are underpaid and legislation is necessary not only in justice to the employees concerned but to supply a missing link in the chain of Federal personnel administration. Prior to 1923 every Federal department and agency largely went its own way in pay and other conditions of employment. The Classification Act brought both order and equity out of this chaos. The employees of the Selective Service System are in a similar chaotic situation today as were the other Federal employees prior to the enactment of the Classification Act.

The pioneering work being done by the National Federation of Federal Employees to improve the pay and working conditions of the Selective Service employees has come to my attention and as a result of their efforts some steps have been taken by Selective Service officials to update the pay structure of the employees. However, the need is for action by the Congress to make these employees classified civil service employees.

There is real necessity to bring employees of the Selective Service System under the Classification Act as soon as possible. Although the Selective Service System has become a part of our way of life we cannot foretell the future. Selective Service employees should have the same opportunities as other Federal employees have in connection with transfers, promotions, and other personnel actions under the classified civil service system. Mr. Speaker, I believe that the bill I am introducing is very much in the public and national interest as well as that of the employees directly concerned and therefore should receive prompt and favorable action by the Congress.

PLANS OF SDS TO LAUNCH MASSIVE DEMONSTRATIONS IN CHICAGO, OCTOBER 8 TO 11, 1969

(Mr. ICHORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ICHORD. Mr. Speaker, I wish to call to the attention of my colleagues and all our fellow citizens the plans of the Students for a Democratic Society—SDS—to launch massive demonstrations in Chicago in October in the apparent hope of provoking even greater civil disorder and violence than we witnessed at the time of the Democratic National Convention.

A brochure produced by the SDS national office under the heading, "Bring the War Home," has been given mass distribution throughout the Nation. The brochure announced an SDS "National Action" against "war and imperialism" would take place in Chicago from October 8 to 11, 1969.

In the way of background, at the June 1969 SDS National Convention a resolution was passed calling for a massive antiwar demonstration in Chicago in the fall. This action "seeking to involve the most people possible in militant struggle" would be timed to coincide with the trial in that city of eight individuals—Conspiracy 8—charged with conspiracy to foment riot at the time of the 1968 Democratic National Convention. "Demands" to be publicized by the Chicago October demonstrations were:

First. Immediate withdrawal of all U.S. occupation forces in Vietnam.

Second. Support for black liberation.

Third. Free Huey Newton—Black Panther Party official jailed after being convicted of manslaughter in the death of a police officer—and all political prisoners.

Fourth. No more surtax.

Fifth. Independence for Puerto Rico.

Sixth. Solidarity with the Conspiracy 8.

Seventh. Support for GI's rights and GI rebellions.

According to the above-mentioned SDS brochure, the forthcoming Chicago demonstrations are also intended to "express total support" for the National Liberation Front of South Vietnam and the Provisional Revolutionary Government of South Vietnam—both agencies of the Vietnamese Communists.

The brochure invited readers to join SDS and "tens of thousands of people" who would be demonstrating in Chicago. Recalling that 10,000 persons turned out for demonstrations at the time of the Democratic National Convention and "tore up pig city for 5 days," the brochure emphasized that "this fall, people are coming back to Chicago—more powerful

distinguished chairman of the Foreign Relations Committee would look into the situation and report to the Senate their findings. This is a matter of the most serious concern. During the debate, I asked several times whether our forces are engaged in combat in Laos or Thailand, but no clear answer was given. I think the situation calls for full hearings, a reply from the executive branch, and a full discussion by the Senate.

I ask unanimous consent that the article from the New York Times be placed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S.-BACKED LAOS TROOPS CAPTURE TWO REBEL AREAS

THAI FORCE ALSO USED

(By T. D. Allman)

VIENTIANE, LAOS, September 17—In a series of secret military operations in the last three weeks, American-backed troops have seized two strategic areas of Laos long held by pro-Communist forces.

In northeast Laos, rightist forces, stiffened by Thai soldiers and officers, have seized the Plaine des Jarres, a strategic area 105 miles north of here. The plain had been held by the Communist since 1964. In central Laos, similar forces have pushed east along Route 9.

INTEGRATED PLANNING REPORTED

Reliable sources confirmed today that Laotion Government troops, with heavy United States air and logistic support, had taken Khang Khai, until recently the site of a Chinese Communist diplomatic mission, and Sepone.

In addition, Laotian troops have seized the town of Muong Phine, also in central Laos, and the towns of Muong Phanh, Xieng Khouanguilie, Ban Ban, Ban Lat Sene and Phong Savan—all in the Plaine des Jarres area.

Well-informed sources today said that the successes were the result of fully integrated American-Laotian military planning and the most intense American bombing ever seen in Laos. So far, the advances have met little resistance, leading military observers to believe that the offensives caught the Communist-led Pathet Lao and their North Vietnamese allies by surprise.

The sources said Laotian units, some made up largely of Royal Thai soldiers in Laotian uniforms, had moved onto the plain and west along Route 9 after round-the-clock bombing had leveled several towns and scattered small defending forces.

The offensives, planned late last month at conferences in Long Cheng in northeast Laos and at Savannakhet in central Laos, appear designed to deal the Communists a serious blow as United States troops are withdrawn from Vietnam.

The thrust into northeast Laos—where during the last years the Government position had steadily deteriorated—counteracts rebel military victories that seemed to discredit the neutralist Laotian Premier, Prince Souvanna Phouma.

In June, North Vietnamese and Pathet Lao troops seized Muong Soui, a neutralist base, northwest of the plain.

GOAL IS HO CHI MINH TRAIL

The thrust across central Laos, according to well-informed sources is an attempt to use Laotian and Thai troops to cut the Ho Chi Minh Trail and reduce North Vietnamese infiltration into South Vietnam.

"In a very real sense, the war in Vietnam is now being fought in Laos," said one diplomatic source today. He said the American-Laotian thrust toward the South Vietnamese border might provide the Nixon Administration with reduction in infiltration to justify large-scale troop withdrawals from South Vietnam.

United States B–52 strikes along the Laotian sections of the trail have increased greatly in the last two weeks, the sources said. They said as many as 500 sorties a day were being flown over Laos and that the increase in bombing in Laos was part of the reason for the lull in the air war in South Vietnam.

American participation in both the Plaine des Jarres and Ho Chi Minh Trail campaigns now extends to the field level, the sources said. They confirmed that United States planes—of Air America, Continental Air Services and the United States Air Force—were flying reinforcements, supplies and arms to advanced areas, while American Army officers and agents of the Central Intelligence Agency were advising local commanders. So far, there has been at least one confirmed American battle death in Laos. It occurred last week when an American CIA agent was killed by gunfire at an advanced post.

SENATE VOTES A CURB

(By John W. Finney)

WASHINGTON, September 17.—The Senate unanimously adopted an amendment today ostensibly designed to prevent American troops from being committed to combat in Thailand or Laos.

Whether the amendment would have such effect was disputed by the Defense Department and Senator John Stennis of Mississippi, chairman of the Senate Armed Services Committee.

The amendment was offered by Senator John Sherman Cooper, Republican of Kentucky, and approved by an 80-to-0 vote after a confused debate that left the amendment open to widely different interpretations.

The amendment, to a $20-billion military authorization bill, specified that none of the funds could be used for American combat support of "local forces" in Thailand or Laos. His purpose, Senator Cooper declared, was to "prevent, if from moving step by step into war in Laos or Thailand, as it did in Vietnam."

Senator Stennis argued that the Cooper Amendment would apply to only $2.5-billion in military aid for Thailand and Laos, as well as South Vietnam. Thus, he contended, the amendment would impose no restriction on the use of other military funds to support combat operations in Laos or Thailand.

In this contention Mr. Stennis was supported by a Defense Department memorandum that he read to the Senate. The memorandum said that under the amendment the current military aid to local forces in Laos and Thailand could be continued and the amendment would "have no impact on the use of funds for support of U.S. forces in Laos or Thailand."

Throughout the debate ran an element of uncertainty over whether American forces might already be committed in Thailand and Laos without any official acknowledgment by the Administration and without any specific approval by Congress.

At one point, Senator Cooper questioned whether "the President and the Secretary of Defense don't want it [the amendment] because we already have forces fighting in Laos or Thailand."

The Senate action came as dispatches from Laos reported important military gains by Laotian Government forces, with United States air and logistical support, against the Pathet Lao, Communist-led guerrillas.

Senator Cooper—without any specific contradiction by Senator Stennis—said "I think we are fighting there." But he noted that neither the Pentagon nor the State Department had ever told Congressional committees that American troops were engaged in combat in Laos or Thailand.

45,000 TROOPS IN THAILAND

The United States has 45,000 troops in Thailand, with American bases there used for bombing operations in South Vietnam. Except for an incident a few years ago in which American "pilots" were flying helicopters carrying Thai troops, there has been no public indication that American troops were assisting Thai forces in operations against insurgents.

In Laos, the United States conducts bombing operations against enemy supply lines leading into South Vietnam. The Central Intelligence Agency is known to provide logistic support to the neutralist Government, but again there has been no official confirmation that American troops are providing combat support.

Under a recently disclosed contingency plan signed in 1946, the United States agreed to supply combat troops to help Thailand resist attack through Laos.

The Nixon Administration, however, has made clear that it is not necessarily bound by the plan, and the effect of the Senate adoption of the Cooper Amendment could be to further vitiate the effectiveness of the controversial agreement by the Johnson Administration.

For all the confusion today, it seemed apparent that Senator Cooper had taken the Senate one step toward using its control over funds to prevent the Administration from committing the nation to war in Laos or Thailand without approval by Congress.

As the majority leader, Senator Mike Mansfield, summed it up at the conclusion of the debate:

"The purpose is well known—to see that we do not back into another Vietnam in Laos or Thailand."

Senator Stennis said he supported the purpose of the Cooper amendment, although he believed it ineffective as phrased. Thus a more restrictive amendment may be offered to the appropriations bill when it reaches the Senate floor this fall.

A national commitments resolution voted by the Senate in June called on the Administration not to comment American troops to foreign hostilities without "affirmative action" by Congress. The Cooper amendment was seen as a further manifestation of the rising demand in the Senate for a check on the foreign policy powers of the executive branch, particularly on the war-making powers.

OUTRAGE

Mr. YOUNG of Ohio. Mr. President, Army Sp5c. Michael Maxwell of Columbus, Ohio, has been fired as war news editor of the American Forces Vietnam Network in a dispute over military censorship of war news. Maxwell was relieved of duty last night after he informed his superiors he had been interviewed by CBS news about censorship. During the interview a reporter asked Maxwell whether there was censorship of the news he broadcasts to American GI's.

My answer to that would be an unequivocal yes. There is censorship of the news. It comes from two levels—the United States Command Office of Information and also from the administration of our station here in Saigon. Some examples recently: The statement of Vice President Ky, Vice President of Vietnam that there would be an American troop withdrawal. He stated the figure of 40,500 men. This story was not aired on AFVN radio for 24 hours.

Lt. Col. James Adams, the officer in charge of the Vietnam network of the American forces of South Vietnam, apparently took a dim view of Specialist

Maxwell's industry and enterprise in insisting upon factually reporting to our officers and men in Vietnam important news even if it involved statements of Vice President Ky regarding pending withdrawal of American forces from South Vietnam.

Specialist Maxwell, who is 21 years old and has had previous professional experience as a news reporter, is now cleaning M–16 rifles at network headquarters. This, because he complained of censorship of the news that he is permitted to broadcast to our Armed Forces. His superior officer ordered this honest, experienced reporter, Specialist Maxwell, relieved of his position and assigned to the labor of cleaning M–16 rifles.

Our GI's in Vietnam are entitled to hear the news without censorship from some officious Pentagon propagandist. Here is another example of Army brass dealing unjustly with an American enlisted man.

CALIFORNIA DISASTER RELIEF ACT OF 1969—CONFERENCE REPORT

Mr. BAYH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 17, 1969, pp. H8006–H8008, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BAYH. Mr. President, I ask unanimous consent that such legislative and staff assistants as may be needed be granted the privilege of the floor during the consideration of this conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I am pleased to report that the conferees appointed to consider H.R. 6508, a bill to provide assistance for the State of California, have agreed upon the terms of a conference report which adjusts the differences in the bills previously adopted by the House and the Senate. On July 10, when the Senate passed H.R. 6508 in amended form, it substituted for the text of the bill the language of S. 1685. The latter is a bill the Senate had adopted on July 8 to provide additional disaster assistance for areas suffering a major disaster.

I might add that S. 1685 was a part of the results of a continuing 4-year study which the Senate, through its Committee on Public Works, has been conducting to try to find a way to make the disaster relief laws of this country more equitable. It has been my good fortune to sit on more than one conference committee since I came to the Senate; but I can honestly say that I have never been a member of a conference which did more to resolve major differences between the two Houses, or whose efforts will have a more constructive impact upon the people of our country. The chairman of the Senate Committee on Public Works, the Senator from West Virginia (Mr. RANDOLPH), though not a member of the conference committee, was hovering in the background, actively helping the conferees resolve their differences. The Senator from Virginia (Mr. SPONG), whose State was flooded in the most recent Camille catastrophe; the Senators from Mississippi (Mr. EASTLAND and Mr. STENNIS), whose State was also greatly affected; the present Presiding Officer of the Senate (Mr. ALLEN) and his colleague from Alabama (Mr. SPARKMAN), were all extremely helpful in compiling data to be of assistance, not only to their States and their citizens, but also to those throughout the country who may be similarly affected. The ranking Republican member of our committee, the Senator from Kentucky (Mr. COOPER), who sat on the conference, as did the Senator from North Dakota (Mr. YOUNG) and others, were extremely helpful to the conference, and I should say to this body that when the final hour came for filing our decision, we had tremendous cooperation from the conferees for the House of Representatives, who put aside the differences they had with the original Senate bill, as we tried to do with our differences with their legislation, and we proceeded constructively.

The House bill was concerned solely with the California diaster of last winter. The Senate bill would have created a permanent general disaster relief program, such as we have been working on for 3 or 4 years. The conferees compromised these differences by placing a time limit on the applicability of the legislation and incorporating much of the Senate bill's overall approach to disaster relief. As agreed upon, the bill now would apply to any major disaster occurring during the period June 30, 1967 through December 31, 1970.

I should also point out that there was general agreement on the overall philosophy that we wanted not only a national bill, applicable to any part of the Nation that might be confronted with a disaster, but also that this should be a bill that had no terminal point; so that as soon as the Senate and the House of Representatives committees are able to do so, they can hold hearings, hopefully joint hearings. At that time it is hoped that the terminal date agreed upon can be removed, so the States will not have to come to the Senate and the House of Representatives after each disaster, but rather, when disaster strikes, there will be legislation already on the books to deal with it.

No funds are specifically authorized by this bill because there is no way of estimating what the cost might be. The final estimates from Hurricane Camille are not in, and, since the bill will be in force for the next 16 months, we rely on the Appropriations Committees, Congress, and the President to assure that the necessary funds will be supplied as they are required

As approved by the conferees, the bill contains 11 operative sections which would provide the following—and I might say I recognize the tediousness of enumerating some of these facts in a conference report, but because there were significant changes and significant reconciliations between differences that existed in the two bills, and because we are now, this afternoon, writing legislative history which may be looked to at some future time, which is not recorded anywhere else, I hope my fellow Senators will bear with me for this repetition:

First, 50–50 matching grants to States for the permanent repair and reconstruction of non-Federal streets, roads, and highways;

Second, readjustment of timber sale contracts and grants for removal of timber from private land;

Third, additional time for public land entrymen to comply with legal requirements;

Fourth, Federal loan adjustments;

Fifth, grants to States for disaster planning;

Sixth, appointment of Federal coordinating officers for major disaster areas;

Seventh, temporary shelter for disaster victims;

Eighth, food stamp program to be made available during and after disasters;

Ninth, assistance to individuals unemployed as a result of a major disaster;

Tenth, fire control on publicly or privately owned forest or grasslands; and

Eleventh, grants for removal of debris from private lands.

The first conference session was held on August 12, 1 day before Congress recessed for 3 weeks. Within a few days thereafter Hurricane Camille wreaked great loss of life and property upon the gulf coast of Mississippi and other States, especially Virginia. Shortly after the Congress reconvened on September 3, S. 2853 and S. 2854, bills to provide special relief for the victims of this terrible catastrophe, were introduced by Senators EASTLAND, STENNIS, RANDOLPH, ALLEN, BYRD of Virginia, BYRD of West Virginia, ELLENDER, LONG, SPARKMAN, SPONG, and THURMOND.

Although these bills were not specifically before the conference for consideration, they further emphasized the need for additional legislation to aid the many communities and thousands of people who incurred losses in this major disaster.

Graphic portrayals of the destruction and suffering were provided by those Members and staff who visited the afflicted areas to see on the scene what had happened. In addition the conferees invited the representatives of several Government departments and agencies which are directly concerned with relief work to report on their activities in this most recent disaster.

I think it is fair to say that we really

had a hearing—and a detailed hearing—before the conferees of the House of Representatives and the Senate. This does not happen very often, but the conferees were really seeking information that would help them. Officials of the Office of Emergency Preparedness; the Small Business Administration; the Department of Agriculture; the Army Corps of Engineers; the Department of Housing and Urban Development; the Department of Labor; the Department of Health, Education, and Welfare; the Federal Highway Administration; and the Economic Development Administration briefed the conferees on the impact of the legislation as well as of the disaster.

Although the conference committee did not have the authority to consider all the proposals for assistance which were submitted, it was able to include in the report which we now have before us provisions which the Members believe will be of substantial help.

The report which we are recommending represents an important milestone in a search for meaningful disaster relief which began more than 4 years ago. A brief summary of previous action may be helpful in understanding the legislative history of this measure. Following a rash of tornadoes and floods in the Midwest during the spring of 1965, nearly 40 other Senators joined me in introducing a bill (S. 1861) to provide assistance for private citizens and businesses incurring extensive losses in major disasters. An amended version of this bill, in which several important sections were deleted—deleted, I might add, by our worthy colleagues in the House of Representatives—was approved by the Congress and signed by the President on November 6, 1966. It became Public Law 89–769.

Because the task had been only partially completed, 36 cosponsors joined me in offering a second bill, S. 438, on January 17, 1967. After hearings demonstrated the need for additional legislation, the bill was reported to the Senate on April 2, but no further action was taken during the 90th Congress. Consequently, on March 26 of this year I again introduced a third major disaster relief bill, S. 1685, which 26 other Senators cosponsored. After thorough consideration by the Senate Public Works Committee, it was reported out with several amendments on June 25 and was subsequently passed by the Senate on July 8.

Before examining in detail specific sections of the conference report, let me comment briefly on the primary goals which this proposed legislation is designed to achieve and call attention to a few of its major provisions.

Our study of the problem in 1965 convinced us of the need for permanent legislation which would help alleviate the severe losses inflicted on people by major disasters. Although the Congress in the basic disaster relief law of 1950 and in subsequent amendments had provided fairly adequate emergency assistance to States and local communities to restore governmental services and facilities, comparatively little provision for direct assistance to individuals, families or businesses had been made. Moreover, the common practice of Congress to consider special and separate relief bills following specific disasters, such as the Alaska earthquake, Northwest floods, or Hurricane Betsy, was not the most satisfactory or effective method of meeting the problem. Such legislation took 6 months or more to enact, so that often relief was too long delayed to be really meaningful, when it was needed the most.

Thus, our efforts have been directed toward legislation which would provide full statutory authority enabling the Federal Government to extend held of all kinds to disaster victims immediately after a Presidential declaration, without waiting for further specific congressional action.

Two questions confronted the conferees at the outset: The scope of the coverage and the time period to be encompassed in the legislation. It was agreed that the provisions of the conference report should not be limited to one or a few States, but should extend to any area within the United States or its territories and possessions which had been declared by the President to be a major disaster area.

The time factor was settled by providing that four sections—5, 8, 9, and 13—which by their nature required continuity would be permanent, but that the remainder of the act would terminate on December 31, 1970. This decision was based on the intention of the Members, as I said a moment ago, to urge that hearings be held by the proper committees in both the House and the Senate within the next few months for the purpose of adopting permanent, comprehensive disaster assistance legislation. It was believed that a careful scrutiny by Congress of the effectiveness and adequacy of the help authorized in this bill and of the need for any further measures should be made before some of its provisions were made permanent law.

Four or five sections of the report deserve special mention at this time. Aid for homeowners and businessmen who have incurred losses in major disasters would be expanded substantially by sections 6 and 7. Interest and principal payments for those eligible for 3 percent disaster loans made by the Small Business Administration and the Farmers Home Administration would be canceled up to $1,800 on the part of the loan in excess of $500.

In addition the SBA and FHA would be authorized to make disaster loans to property owners, without regard to whether the financial assistance is otherwise available from private sources, at an interest rate equal to the average interest rate on all interest-bearing obligations of the United States with maturities of 20 years or more.

Although such borrowers would not be entitled to the $1,800 forgiveness feature available to those who receive 3-percent disaster funds, it would enable those disaster sufferers who have other private credit resources to obtain loans at a rate lower than that charged by commercial institutions but would be at a minimum cost to the Federal Government. Moreover, the SBA and FHA would be authorized to refinance mortgages and liens on homes or business property severely damaged in a major disaster, with the rate of the loan—3 percent or Government-average interest rate, whichever it might be, depending on the financial need of the borrower.

Mr. President, there is one highly important matter respecting small business disaster loans about which the conferees were unable to make a statutory determination. I refer to the administrative limitation on loan amounts imposed by the SBA—and this amount has been administratively set; it is not in the law—$30,000 on a home; $100,000 on a business. The conferees regard these limitations as utterly unrealistic under today's conditions as viewed by those who were actually on the scene of the disaster. They should be removed by action of the SBA. They should not be replaced with any other dollar limits of general applicability. The amount of each loan should be determined individually and on the basis of each individual case. If the SBA does not itself make this change, the conferees believe that the Congress should do it through an amendment of the law to be considered shortly.

In order to assist persons and families whose places of residence have become uninhabitable because of a major disaster, the President would be authorized under this bill to provide temporary housing through use of any dwelling accommodations owned by the United States or by leasing existing dwellings, mobile homes or other readily fabricated homes. Rentals could be established for such accommodations which would take into consideration the financial ability of the occupants, but in case of financial hardships the charges could be compromised, adjusted, or waived for a period of up to 1 year.

In no case, however, would an individual or family be required to spend more than 25 percent of his or his family's monthly income for housing expense, including debt payments on his destroyed or damaged home. Such temporary housing for disaster victims would be available only to those who had been certified by proper authority that their accomodations had been destroyed or damaged to such an extent that they were uninhabitable.

In most disasters, especially those resulting from floods, tornadoes and hurricanes, large amounts of debris are often deposited on private property. To help bring relief from this problem, section 14 of the bill would authorize the President, when he determines it to be in the public interest, to make grants to States or political subdivisions for removing such debris from private lands and waters. Payments could be made to reimburse actual expenses incurred for such removal, but the amount would be only that which would be in excess of the salvage value, if any, of the debris.

In times of disaster it is clear that emergency assistance must be extended both rapidly and with as little confusion as possible. In order to coordinate governmental operations in major disaster areas, section 9 of the bill would direct the President, as soon as he has designated a major disaster area, to appoint a Federal coordinating officer to be responsible for coordination of all Federal dis-

aster assistance in that area. It is believed this would help speed up assistance and would reduce delays and confusion confronting disaster suffers who often must deal with a variety of programs and different agencies. Similarly, comprehensive State disaster plans contemplated by the bill would require that a State coordinating officer would also have to be appointed to act in conjunction with the Federal coordinator.

A serious problem often faced by States and local governments has been the huge outlay necessitated by the cost of repairing and rebuilding highways, roads, streets, and bridges damaged or destroyed in major disasters. Those highways which are now within the Federal-aid system are entitled to receive payments from the National Government equivalent to those which are granted during construction, but there are thousands of miles of roads in every State which are not eligible for permanent disaster assistance. Often these are so-called farm-to-market or other county roads which are so vital to the livelihood of rural and small town residents. The conference report includes the provision adopted in the House bill which would authorize the President to allocate funds to States equal to 50 percent of the cost for the permanent repair and reconstruction of highways not on the Federal-aid system which are destroyed or damaged in a major disaster.

Finally, let me call attention to section 8, which would authorize the President to make grants not to exceed $250,000 to States for the purpose of preparing comprehensive disaster relief plans and practicable programs to assist individuals suffering losses in major disasters. In order to qualify for such a grant, a State, territory, or other possession of the United States would have to agree to match the funds made available to establish an agency specially able to plan and administer a comprehensive relief program, and to report to the President not later than the end of next year a State disaster plan. The President in turn would be authorized to report and to recommend to Congress ways in which the Federal Government could implement and help finance State plans and to make other recommendations on Federal participation in disaster relief.

Other sections of the bill, as noted in the detailed analysis which follows, would provide assistance in major disasters for damage to roads involved in existing timber sales contracts, for removal of fallen or damaged timber from privately owned lands, to give additional time for entry on public lands, to provide free food stamps, and to authorize assistance to unemployed who are not eligible for unemployment compensation or private income protection insurance.

Mr. President, I ask unanimous consent that a detailed summary of each section and the full text of the bill as reported by the conference be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAJOR PROVISIONS OF THE LEGISLATION

HIGHWAY REPAIRS

Section 2 authorizes the President to allocate funds to States for the permanent repair and reconstruction of permanent street, road and highway facilities not on any Federal-aid system that were destroyed or damaged as a result of the disaster. The section requires 50% participation by the State.

This is a new departure in the field of Federal responsibility for highway repair. Hitherto assistance has been granted only for repair and reconstruction of Federal-aid highways. Language granting 100% Federal assistance for such repairs was contained in the Disaster Relief bill passed by the Senate in 1965.

TIMBER SALES CONTRACTS

In Section 3 relief would be provided for those timber contractors in Federal forests whose contracts were entered into prior to 1965 so that adjustments may be made in their contracts to facilitate reconstruction of timber roads destroyed in a major disaster

We have also provided authority and guidelines for assistance in the removal of downed or damaged timber from privately owned land when such assistance is deemed by the President to be in the public interest. However, the salvage value of the timber is to be deducted from the amount of the payment for removal.

ENTRY ON PUBLIC LANDS

In Section 4 the period for entry on to public timber lands has been lengthened in order to salvage timber which is subject to infestation and deterioration because of climatic conditions.

BUREAU OF RECLAMATION OVERHEAD COSTS

Section 5 repeals a provision of the Fiscal 1967 Public Works Appropriation Act now requiring that funds spent by the Bureau of Reclamation in connection with disaster relief under Public Law 81–875 shall be reimbursed in full by the Office of Emergency Planning to the Bureau.

DISASTER RELIEF LOANS

Section 6 provides that the Small Business Administration, on 3% disaster loans to those who cannot establish bank credit, shall, at the borrower's option, cancel up to $1,800 of interest, principal or any combination thereof on a disaster loan. SBA also is authorized to defer interest or principal payments during the first three years of the term of the loan regardless of the borrower's financial situation.

In addition, in order to assist those who are severely affected by a disaster but who have some capability of assisting their own recovery because of the availability of private credit, the conferees make the following recommendation: that the SBA make loans for the repair, rehabilitation or replacement of lost or damaged property without regard to whether financial assistance is otherwise available, provided that such a loan will carry interest charges at a rate equal to the cost of the money to the United States. This aspect of the loan program would therefore not burden the Federal Treasury. Further, no such loan would be eligible for forgiveness or deferral of payments.

Finally, the SBA is authorized to refinance mortgages or liens outstanding on destroyed or damaged properties. However, this is not intended to permit cancellation or deferral if the loan being financed was originally made under the first paragraph of this section and part of such loan was already cancelled. This means that no borrower could receive two cancellations on the same loan. He would not be barred from two such cancellations, however, if each resulted from damage or destruction in a different disaster.

Section 7 grants the Consolidated Farmers Home Administration the same loan authority as is given to SBA by section 6.

STATE DISASTER PLANNING

Section 8 authorizes a 50–50 matching grant not to exceed $250,000 to any State for development of a plan for assistance to individuals who suffer losses in a major disaster. It requires designation or creation of a State planning agency and submission of a State plan to the President not later than December 31, 1970.

Each participating State is to appoint a State coordinating officer to act in cooperation with the Federal coordinating officer required by the next section of the bill.

Thereafter, from time to time, the President is authorized to report and recommend to Congress programs for the Federal role in implementing and funding comprehensive disaster relief plans and activities.

FEDERAL COORDINATING OFFICER

Section 9 requires the President to appoint a Federal coordinating officer immediately upon his having designated a major disaster area. This officer will operate under the Office of Emergency Preparedness in the area. He will have responsibility for coordinating all Federal disaster relief and assistance, establish field offices for rapid and efficient administration of this assistance and aid local officials and citizens to obtain promptly the assistance to which they are entitled.

SHELTER FOR DISASTER VICTIMS

Section 10 of the conference substitute authorizes the President to provide necessary shelter for individuals and families who are certified as having been displaced from their dwellings by a major disaster and who are unable to find suitable accommodations. The bill authorizes use of unoccupied housing owned by the United States or of unoccupied public housing, leasing of existing dwellings or acquisition of mobile homes or other readily fabricated dwellings through leasing and placing them on sites furnished by the State or local government or by the owner-occupant, provided no charge is made for the site.

Rentals for this emergency shelter will take into consideration the financial ability of the occupant, and may be adjusted or even waived entirely for a period not to exceed 12 months. In no case can an individual or farmily be charged a monthly housing expense (including debt charges on a house destroyed or damaged in the disaster) in excess of one quarter of the monthly income.

FOOD STAMPS AND SURPLUS COMMODITIES

Section 11 authorizes the President to distribute food stamp coupons and surplus commodities to low-income households which are unable to purchase adequate nutritious food because of a major disaster. The President will be able to use existing legislation for so long as he deems necessary and to take into account such factors as the consequences of the disaster upon the earning power of the recipients.

ASSISTANCE TO UNEMPLOYED INDIVIDUALS

Section 12 of the conference bill recognize that, while large numbers of workers and businessmen are covered by unemployment compensation and private income protection programs, when disaster strikes, especially in rural and coastal areas, a significant number of individuals find themselves suddenly with no means of support. The bill authorizes the President to provide financial assistance to such individuals not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program. Any amount paid to an individual will be reduced by the actual amount of unemployment compensation or private income protection received by him during his unemployment.

FIRE CONTROL

Section 13 authorizes the President to make grants and loans to States for suppression of any fire on publicly or privately owned forest or grasslands which threatens to become a major conflagration. This section grew out of a study conducted by the Office of Emergency Preparedness pursuant to Public Law 89–769, the Disaster Relief Act of 1966.

DEBRIS REMOVAL

Section 14 provides that when it is determined to be in the public interest the President is authorized to make grants to States and localities for reimbursement of expenses of removing debris from privately owned lands and waters as the result of a major disaster, but only to the extent such expenses exceed the salvage value of the debris. The conferees intend that a major consideration in making these grants shall be the degree to which debris removal will assist in the economic recovery of the area.

EFFECTIVE DATES

Section 15 provides that, except for Sections 5, 8, 9 and 13 which are given permanent status, the act would apply to any major disaster declared by the President between July 1, 1967 and December 31, 1970.

DISASTER RELIEF ACT OF 1969

SECTION 1. That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

SEC. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 per centum of all costs of such repair or reconstruction.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangements authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the reconstruction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89–689), is hereby repealed.

SEC. 6. In the administration of the disaster loan program under section 7(b) (1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the abiilty of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate in all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in any affected State resulting from a major disaster the Secretary of Agriculture—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so cancelled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

SEC. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(b) The President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

SEC. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinating officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

SEC. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such authority as may be designated by the President, had occupied a dwelling as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

SEC. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

SEC. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

SEC. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

SEC. 14. The President, whenever he determines it to be in thet public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris.

SEC. 15. (a) As used in this Act the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970.

(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date.

SEC. 16. This Act may be cited as the "Disaster Relief Act of 1969".

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide additional assistance for the reconstruction of areas damaged by major disasters."

Mr. RANDOLPH. Mr. President, I am not a member of the Senate conferees on H.R. 6508, the disaster aid bill. However, I do feel it appropriate for the Public Works Committee as a whole to express its thanks to the Senator from Indiana and our conferees on the part of the Senate on the diligence and the effectiveness that they brought into the conference with the members of the House conference committee.

I think it is also important to underscore the fact that the ranking minority member of the Committee on Public Works, the able Senator from Kentucky (Mr. COOPER) joined with me, and we sat in some of the sessions of the conference. We did this not simply because we wanted to be present, but because we wanted to have all those who were serving as conferees from the Senate and the House to know that in a sense we were representing not only the Committee on Public Works, but also all our colleagues in the Senate. It was not only to act on behalf of the States involved in the most recent catastrophe, the havoc wrought by Camille, but to indicate to the Members of Congress the widespread nature of the disasters with which we are dealing in this report, not in the State of Mississippi alone, with its terrific problems of rehabilitation, or in the other States involved in Camille.

In the past 3 years, in the United States, we have had catastrophes, major in degree, that have swept across at least 25 States. We almost forget about Beulah, in the State of Texas, with its havoc, in 1967; and Indiana, Iowa, Minnesota, Hawaii, Florida, California, Arkansas, North Dakota, South Dakota, Nevada, Vermont, Wisconsin, Colorado, Illinois, Tennessee, Kentucky, Ohio, Kansas, Mississippi, Louisiana, Alabama, Pennsylvania, Virginia, West Virginia.

I have enumerated 25 States; perhaps others could be listed. But by hurricane, by tornado, and by flood and havoc has been wrought across America; and I think Members of Congress must realize that we must attempt to cope with this problem in a long-range manner in the future. Ofttimes, it is easy to come in after the fact and try, through the application of the retroactive provisions, to take care of the disasters that occurred months, or, yes, years ago.

I should emphasize, also, that just in the last year, the private loss from disasters in the United States has exceeded $355 million. This is only the private loss—to the residences and the businesses of the American people. Public facilities such as roads, schools, and hospitals are not included in the almost staggering figure of personal loss that I have given.

So, we realize the seriousness of this situation. The Senator from Mississippi (Mr. EASTLAND), who sits before me, knows, as do I and the Members of Congress who are knowledgeable of this problem in his State, that in one area 95 percent of all homes are gone. So, where is the tax base on which to build in order to do the job necessary? The people at the local level of government are hardy people and they are working on that level with other agencies of government in our country to rebuild their communities.

Mr. President, high praise is due the conferees on this bill H.R. 6508. They faced a most difficult and unusual task: how to reconcile a bill concerned with disaster in a single State, as passed by the House, with a bill for a permanent national disaster relief program as passed by the Senate. Such a reconciliation has been achieved, and it is a credit to the legislative skill and the willingness to compromise by all the conferees in the interest of the Nation as a whole.

Our colleague, Senator BAYH, who served as chairman of the conference, is especially to be complimented for his leadership. He was ably assisted by Senators YOUNG of Ohio, SPONG, EAGLETON, and Senators BAKER, DOLE and GURNEY. Senator JOHN SHERMAN COOPER, the ranking minority member of the full committee, also made valuable contributions.

Of course, Mr. President, the bill agreed on by the conference is not perfect, nor does it contain all the provisions that experience has shown need to be included in truly effective, national disaster relief legislation.

It is my intention, as chairman of the committee, to arrange for further hearings, this year, on a number of valuable suggestions for improving the Nation's readiness and capability to cope with major natural catastrophes. I expect

these hearings will elicit testimony on such questions as: first, how to accelerate emergency financial aid to local communities faced with the immediate necessity of restoring vital public services but stripped of available funds to pay for it; second, how the Federal Government can assist a local community whose tax base has been wiped out to meet upcoming interest and principal payments on outstanding public debts; 95 percent of the homes in one area of Mississippi are gone; there is no tax base. We must recognize that situation.

Mr. BAYH. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I yield.

Mr. BAYH. I am particularly grateful for the Senator's willingness to cooperate in that given area. This was a part of the first bill, as the Senator knows. With his help, assistance was recommended by the Committee on Public Works, and the bill passed the Senate, but it was not accepted by the House. Hurricane Camille again emphasizes the problem.

We found in 1965 and 1966 that we had been accustomed to provide assistance to restore public facilities when they were damaged, facilities such as sewer plants and water supply. But when utility plants were destroyed, as was the case in one small community in Indiana, the town was unable to meet its financial obligations.

I thank the chairman for his willingness to help us to deal with problems such as that, which are not covered in either of the bills at present.

Mr. RANDOLPH. No; we shall have to think of such payments in the forthcoming bill.

Mr. President, at this point I turn aside to say something I feel should be in the RECORD, although perhaps it is extraneous. Through the years we have responded to catastrophes that have befallen other people of the world. I think that was proper. I am not going to discuss it except to say that if we could give the aid of the United States to the peoples of other countries of the world during catastrophes that have come to them, we certainly can and we certainly must be able to crank the machinery into motion that will enable us to help the people of our own country in all the areas that are afflicted by natural disasters.

Mr. BAYH. Mr. President, will the Senator yield for just a moment?

Mr. RANDOLPH. I yield.

Mr. BAYH. I do not like to keep interrupting the distinguished Senator. However, I do wish to state that the Senator is precise and exact in recognizing the problem. He has touched on another area that has been at the base of this matter. We have dealt with disaster problems as they have occurred. We have tried to repair roads, school buildings, bridges, water plants, and many other projects.

But this bill more than any other in the history of our disaster relief program gets right down to helping the average man and woman, the small businessman, the entrepreneur, the farmer, the fisherman. For the first time we have said, as the chairman has pointed out, if we are going to provide the beneficence of this country to other nations we are going to do it at least in kind to those in this country.

Mr. RANDOLPH. The Senator is correct. The Senator mentioned the small businessman. I want the RECORD to reflect that when the hearings I am discussing go forward the able Senator from New Hampshire (Mr. MCINTYRE), who is the chairman of the Subcommittee on Small Business of the Committee on Banking and Currency, is going to be not just listening in but is going to be helpful to us as we attempt to answer some of these questions.

Mr. President, I shall hurry along because there is a third question that is going to be asked. Should certain legal requirements and regulations that may impede swift restoration of devastated areas be suspended or waived during the emergency; and fourth, what other instruments should be provided in Federal law that will enable us better to restore destroyed and damaged areas to the fullest extent possible.

The committee will welcome proposals from all Members of the Senate concerned with the menace to life and property of such terrible natural disasters as hurricanes, tornadoes, tidal waves, floods, landslides and earthquakes.

This is another major step which our continuing experience with disaster relief has proved to be essential. While the Federal, State, and private response to the emergency immediately following a disaster is well conceived and directed, additional work must be done by Federal agencies better to coordinate the restoration phase following the catastrophe.

We urge the agencies who have responsibility to review carefully their statutory authority and their administrative rules and procedures so that they may recommend to us at the earliest possible date perfecting legislation.

Again, I thank all Members of the Senate and, of course, Members of the House, led by Representative ROBERT JONES of Alabama, who have devoted themselves intelligently to solving this problem.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COOPER. Mr. President, I rise to support the assessment made by the distinguished chairman of the Committee on Public Works of the problems which the country faces arising from major disasters. I believe the conference report goes as far as it could go within the confines of the legislation under consideration. On both sides, in the House and in the Senate, efforts were made to give the greatest relief possible.

I agree with the chairman that it will be necessary to hold further hearings and to design legislation to meet some of the problems which could not be faced. For example, I remember the Senator from Mississippi (Mr. STENNIS) told us that most of the schools in a certain area had been destroyed. We could not deal with that. Perhaps in the future, plans can be made to do so. Last year, I remember, to show how we can be wrong sometimes—at least, I can be wrong—I voted against the bill in committee, but this year, perhaps spurred by the disasters, and also the fact that a much better bill has been developed, I must say, I was glad to support and do what I can.

I join the Senator from West Virginia (Mr. RANDOLPH) in paying tribute to all members of the committee from both parties who contributed so much to the development of the legislation as we discussed it in the Public Works Committee and also in the conference.

Special credit, of course, should go to the Senator from Indiana (Mr. BAYH) who initiated and fought for the bill in the Public Works Committee and through all its stages of development.

The Senator from West Virginia (Mr. RANDOLPH), as always, mobilized the forces behind us, to deal not only with the immediate problem but also with problems of the future. He is a great chairman for our committee.

The Senator from Virginia (Mr. SPONG), coming fresh from the disaster areas in Virginia, made a very important contribution in his report concerning the problems in those areas, which are similar to other areas in this country.

We were aided also by the Senators from Mississippi (Mr. EASTLAND and Mr. STENNIS); those from Alabama (Senators SPARKMAN and ALLEN), and others affected.

This act is a good start and will give aid to many people. I am sure that we will go further in the future.

Let me also pay tribute to a former member of the committee, the Senator from California (Mr. MURPHY) who, last year, discussed with us the problems of his State. I think that most of his proposals were contained in the House bill which came to us in connection with the conference.

I would also commend the members of the staff of the Committee on Public Works, on both the majority and minority sides for their contributions to the development of this legislation.

Mr. President, although I was not designated a member of the conference committee on this legislation, I did attend and participate in the Senate-House conference (for Senator BAKER), on the Disaster Relief Act of 1969. I did not support the legislation as introduced by my colleague from Indiana in the 90th session of Congress, because I had a number of questions about the sections which provided grants for private property losses, their relationship to the National Flood Insurance Act of 1967, and the opposition of the Bureau of the Budget to that proposal. I believed that the hearings conducted by the Committee on Public Works had not adequately determined that the States were willing to shoulder a portion of the burden of this type of assistance. These questions were substantially answered throughout the committee's consideration of Senator BAYH's bill, S. 1685, in this session of Congress, and I was happy to support to its unanimous reporting from committee and passage by the Senate. Its goals, to provide speedy and comprehensive assistance to those who have suffered because of a major natural disaster, are without question.

One of the major difficulties in ad-

ministering the disaster relief program is the proliferation of Federal programs of assistance. Different agencies and departments of the Federal Government provide aid to individuals, businesses, and governments, both local and State. This multitude of programs creates a problem for those needing assistance because information about them may not be coordinated. The individual agencies make information available about their programs, but the individual who needs help often does not know what agency can give him the assistance he needs. In order to meet this problem, I suggested an amendment which I am glad was adopted by the conference. It appears as section 9 of the final version of the act and provides that immediately upon designation of an area as a major disaster area, the President will appoint a Federal Coordinating Officer to coordinate "all Federal disaster relief and assistance, establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled." I hope that the application of this provision will be helpful.

Section 8(c)(2) includes a similar provision for the appointment of a State coordinating officer to work with the Federal one as part of the State effort in developing plans for administering disaster relief and the establishment of a State agency to carry out those plans. This provision was also included at my suggestion and will, taken with the other, go a long way in assuring that the goals of the Disaster Relief Act as amended are more fully approached in the future.

At the present time the Senate Committee on Public Works is holding hearings on the Hurricane Camille damage in parts of Virginia and flooding problems in parts of the Midwest and in Arlandria, across the Potomac. The testimony reveals a number of things of importance to the Senate in its consideration of this act. Disaster assistance cannot come too quickly and in too great quantities to those whose homes and lives have been disrupted or destroyed by rampages of nature. More importantly, however, the hearings have revealed the need for strong action by local and State governments, as well as Federal consultation, in protecting people and resources from flood and storm damage through the adoption of sound policies of land use and resource management. Instead of applying band-aid like assistance post facto, we should increasingly consider techniques of prevention before damage is created. It is my belief that this is the direction in which we must turn in our future consideration of disaster relief. To a great extent much of the damage we seek to relieve in the passage of this act, as in the passage of past disaster relief acts, was avoidable, had local and State governments exercised their responsibilities in the land use and management arenas.

Mr. SPONG. Mr. President, initially, I should like to commend the Senator from Indiana (Mr. BAYH), who chaired the conference. The report today, in large measure, reflects 4 years of work on the part of the Senator from Indiana in this particular area of legislation.

I should also like to commend the Senator from West Virginia (Mr. RANDOLPH), the Senator from Kentucky (Mr. COOPER), and my colleagues who participated in the conference. It is noteworthy that this matter is on the floor of the Senate just a month and a day after Hurricane Camille struck Virginia.

For those who have some question about the responsiveness of Government at this level, I think that this report is an example of where pending legislation in conference was developed in a minimum of time to provide a maximum of relief to meet the special circumstances involved.

Mr. President, there is provision in the report for the appointment of Federal and State coordinators in time of major disasters.

I think that the visits made by members of the staff of the Public Works Committees into areas of Mississippi, Louisiana, and Virginia provided evidence of the need for this kind of coordination among Members of Congress, State, and Federal officials in time of a national disaster.

The personal experiences reported to the Senate by the Senators from Mississippi (Mr. EASTLAND and Mr. STENNIS) reflect the need for this. I think the fact that it is included in this legislation is a salutary matter.

Mr. President, I ask unanimous consent to have printed in the RECORD my statement on the report in terms of its effect upon the State of Virginia.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPONG

The conference report before the Senate represents a start on the road to recovery for victims of Hurricane Camille, a disaster which in Virginia caused 109 known deaths, and resulted in property damage estimated by state officials at $116,500,000.

The report agreed to by the conferees will be of substantial help to the individuals and communities affected. I am grateful that Senator Randolph, the distinguished chairman of the Public Works Committee, has announced that further hearings will be held this year. I am hopeful that the hearings will result in the enactment of permanent legislation which will include provision for additional needed relief.

The devastation in Virginia was brought on by torrential rains and landslides in the James River Basin. An estimated 27 inches of rain fell on parts of the Blue Ridge during a 12-hour period on the night of August 19. The Clifton Forge area received about 10 inches of rain. The same amount was recorded downstream at Scottsville.

As the waters roared down the hillsides into the basin, they swept everything before them. Forty-seven persons are still missing, probably buried under the massive amount of trees, rock and other debris that remain as grim evidence of the disaster.

Some provisions of the conference report are of special importance to Virginia. One of them authorizes 50–50 matching funds for the reconstruction of non-federal highways. Only this morning the Subcommittee on Flood Control-Rivers and Harbors received testimony that 175 miles of state-maintained secondary roads in Virginia were destroyed or damaged so severely by Hurricane Camille that they must be totally rebuilt. One-third of the estimated total highway damage of $19.1 million occurred on roads and bridges that are not on any federal-aid system.

Grants for debris removal also will be beneficial. Literally tons of mud, silt and rock, and thousands of trees were deposited on valuable private lands by the force of the floods. Houses were knocked off their foundations and, in some cases, carried hundreds of yards downstream. When the waters subsided the structures were left standing in the middle of cornfields and other farmlands. The same is true of automobiles, and indescribable amounts of other forms of debris. Unless these farmlands are returned to productive use, tax bases cannot be restored, and the communities involved cannot revive their economies.

The bill also provides for loan forgiveness and deferment of principal and interest payments on certain loans of the Small Business Administration and the Farmers Home Administration; unemployment and Food Stamp assistance to victims of major disasters; the appointment of federal coordinating officers and the establishment of field offices in major disaster areas and temporary shelter for disaster victims.

The conferees also are recommending in their report a provision to allow the Small Business Administration and the Farmers Home Administration to refinance any mortgage or other liens outstanding against property destroyed or damaged in a major disaster.

It is the intent of the conferees that the SBA review its present loan ceilings, with a view toward lifting the amounts which can be provided to rehabilitate businesses. As part of my preparation for today's hearings on the flooding in the James River Basin, I conferred with people from Nelson, Albemarle and Amherst Counties. Businessmen told me that the present $100,000 ceiling is inadequate. A report I received late yesterday from the Richmond Regional Office of the SBA confirms that view. The SBA informed me that 15 per cent of the businesses who have applied as a consequence of damage from Hurricane Camille have sought loans in excess of the ceiling.

Such a revision could be accomplished administratively. There is no statutory prohibition against lifting the ceiling. Many of the businesses seeking higher loans are located in small communities, and employ substantial numbers of the local work force. It is essential that these companies be rehabilitated as promptly as possible.

There also is need for authority to extend financial aid to localities who have suffered such devastation that they cannot meet obligations from local tax revenues. As Senator Randolph has pointed out, this problem will be the subject of hearings this year.

The report of the conferees is an important step in a four-year effort led by Senator Bayh to enact a permanent national disaster relief program. He is to be commended for his tenacity. I am grateful to him, to Senator Randolph and to my other colleagues on the Public Works Committee and the Conference Committee for their diligence in the development of this report.

Mr. SPONG. Mr. President, in conclusion, let me say that I think the experience gained as a result of this report, and as a result of Hurricane Camille, will provide a foundation upon which permanent legislation might be enacted. I am very pleased that the able chairman, the Senator from West Virginia (Mr. RANDOLPH), has announced that hearings for the purpose of developing permanent legislation will take place at a time when we will have an opportunity to review the experience under this measure and to

assess the need for additional types of relief for disaster victims.

Mr. BAYH. Mr. President, I wish to thank the Senator from Virginia for his thoughtful remarks directed to me, as well as to thank the chairman for his kind remarks, and point out that the contribution which the Senator from Virginia made to the conference committee was, indeed, a great one.

As I said earlier, the Senator from Virginia and the two Senators from Mississippi, who are now in the Chamber, were on the scene investigating conditions, and immediately drafted legislation to be quickly introduced. Their persistence in pursuing members of the conference to bring the legislation into being, and to provide meaningful relief for their constituents, is an indispensable part of this program.

Let me say in passing—the Senator from Virginia raised the point, and it is an accurate one—that we should not overlook the great contribution made by the staffs of the Public Works Committees, not only in the normal procedure of business in drafting legislation but also in helping the conference by going into the area, as they did, and coming back with firsthand reports that were extremely helpful to us.

Mr. SPONG. I thank the Senator from Indiana very much for his gracious remarks.

Mr. EASTLAND. Mr. President, 1 month ago yesterday Hurricane Camille assaulted the southern shores and inland sections of America.

Her howling winds and raging tides laid waste our lands and brought death and destruction, privation and suffering to countless thousands of our citizens.

Lives were lost and other lives radically changed, businesses disappeared under debris, dwellings were demolished, economic systems smashed, cities and communities crushed, agriculture, commerce, industry, and tourism were shredded by winds in excess of 200 miles per hour; scattered by tides of more than 30 feet.

I saw the havoc wrought by Camille and I listened as our people attempted to articulate the horror which attended her and even after the passage of 30 days I find it difficult to accept the awesome extent of the damage inflicted on us by this terrible catastrophe.

However, it is a fact that this disaster struck at our States and in some sections left little behind her except rubble.

This giant storm blew away and washed away everything in her path. Brick and concrete and steel were no match for her unprecedented might.

Camille destroyed or damaged everything she touched—everything, that is, except that which is indestructible.

Her tornadic winds and her walls of water failed to break the spirit of our people and failed to drown the compassion of America for her citizens.

Thus, 1 month and 1 day after Camille struck, a record performance by any standard—a splendid effort—led by the Public Works Committees of the Senate and of the House has produced a legislative package which, in my judgment, is an excellent vehicle for the tremendous recovery task which confronts us.

This superstorm has been styled the worst natural disaster visited on the North American Continent in modern history. Cures for this calamity necessitated the most sweeping and comprehensive disaster relief legislation ever enacted.

In only 15 days after the reconvening of Congress, our Public Works Committees met that stern test.

For the people of my State, and of all States involved in this tragedy, I commend from my heart Senators, Members of Congress, and the competent and dedicated staff personnel who contributed to this outstanding achievement.

The tenacious campaign waged by the distinguished Senator from Indiana is the cornerstone of this conference report and I salute Senator BAYH for his brilliant service.

I shall say of my old friend, the accomplished chairman of the Senate Committee on Public Works, that America is fortunate to have as leader of that vital committee a wise and compassionate gentleman whose talent as a legislative craftsman is unsurpassed.

Mr. President, the far-reaching provisions of this legislation as outlined by Senator BAYH, Senator RANDOLPH and Senator SPONG are a credit to the Congress and to the country, and certainly create a broad foundation for the launching of our rebuilding and rehabilitation projects.

I am particularly pleased with those features which:

Authorize permanent repairs to roadways not included in the Federal-aid system;

Make available aid to combat timber losses;

Allow SBA and FHA to render generous and meaningful support to homeowners and business, industrial and agricultural interests, as well as victims of previous disasters such as Hurricane Betsy;

Provide food and housing for our people;

Furnish payments to those deprived of jobs by the disaster who are not covered by State unemployment compensation programs. Examples are migrant workers, fishermen ruled joint venturers rather than employees, and many who have not worked long enough to enjoy State coverage;

Make available grants to suppress further damage from fire on public or private lands; and

Authorize the removal of debris from privately owned lands and waters. Beyond the great benefits to the citizen and the businessman contained in this section is substantial help for our tung and pecan industries.

The provisions I have mentioned, along with others which complete the package, form a legislative proposal which merits our commendation and support.

Now, Mr. President, it is true that adoption of this report will not cure the myriad of ills which afflict some areas—nor will it solve all of the painful problems which beset those areas. I submit that additional legislative relief is necessary to the full and final recovery of the most heavily damaged sections.

As an example, for my own State, further steps will have to be taken to support local governmental entities—this is a pressing problem of overriding importance—and other adjustments will have to be made.

Some of our difficulties can and should be quickly resolved by administrative action. I cite the present unrealistic limits on SBA loans. These limits were imposed administratively, and, in the light of the very strong statement on this critical matter in the managers' report, I am confident that actual dollar losses will be considered rather than unrealistic and unworkable limitations. The same approach, of course, must be applied to extensive losses sustained by agriculture.

Further, President Nixon and Vice President Agnew have personally inspected the devastation and have stated the administration's desire to render maximum assistance to the rehabilitation mission. The sympathetic and understanding attitude and pronouncements of the leaders of our Nation assure expeditious and effective administrative action in all phases of the recovery effort.

I would conclude by offering a suggestion to Chairman RANDOLPH, Senator BAYH, and their able colleagues.

I submit that the magnitude of the catastrophe caused by Camille and the extensive area involved provides us with a great "school" to teach us much more about the science of reaction to and recovery from large-scale disasters.

I suggest a continuing review of the process of the rehabilitation of our citizenry and of the rebuilding of physical facilities. I am persuaded that we can ascertain from this study which programs and procedures operate swiftly and effectively and which are in need of modification.

Mr. President, as we meet here today, many thousands of our citizens are suffering and whole sections of our country are shattered. We have before us an innovative, imaginative, and comprehensive piece of legislation, perfected by experts, which will assist us in the great task of forming a promising future for all who have borne the burden of disaster.

I strongly urge the adoption of the conference report.

Mr. STENNIS. Mr. President, I shall not detain the Senate at length. It certainly warms my heart and makes me feel proud of my colleagues, as well as the people of the Nation, to have such a fine response to the distressing situation that we were confronted with, not only in my State, but in other areas. I have been most grateful all the way through for the fine response from the Members of this body.

I also want to especially thank the staff members. Chairman RANDOLPH authorized those gentlemen to go down to the gulf coast of Mississippi and Louisiana. They went there on short notice and did an excellent job. We are most grateful to them, as I am sure the Nation is.

I wish to mention Chairman RANDOLPH, Senator BAYH, Senator COOPER, and Senator SPONG. I do not want to leave out any other Senators. Members of the House conference also showed the utmost consideration.

I refer now to what the Senator from Kentucky (Mr. COOPER) said. One county that was hit by this hurricane had left just four schoolrooms—not buildings, but only four schoolrooms in the entire county that were habitable for classes, which is an indication of the devastation.

I have been interested in the long-term financing of the municipalities and counties whose tax base was destroyed.

If I may address this question to the Senator from West Virginia (Mr. RANDOLPH), the Senator said he would consider legislation that went to the matter of some relief in the form of help for financing outstanding obligations. Would the Senator contemplate in his thinking a bill that would be retroactive with respect to those places where the distressing situations to which I have just referred occurred?

Mr. RANDOLPH. Mr. President, in response to the Senator from Mississippi, we have always considered retroactive features applicable in past disaster legislation. As we go into a more permanent type of legislation, not legislation merely to take care of a particular crisis, but to lay out a broad plan of general assistance, I can assure the Senator that the retroactive feature will be very much a matter within the purview of the Committee and the subcommittee.

Referring to the four classrooms that were all that were left in a particular county, as the Senator indicated, I recall that former Senator Morse, as chairman of our Subcommittee on Education, several years ago guided the Senate Labor Committee in writing a provision that authorizes the U.S. Commissioner of Education to give assistance to districts in which floods, tornadoes, or hurricanes have devastated school facilities used for primary and secondary education. That provision is contained in Public Law 89–313, as amended. So we have recognized that problem. The Senator certainly goes to the basic problem of the tax base which has been destroyed. We must, and we will, of course, consider the question the Senator has raised.

Mr. STENNIS. I thank the Senator. I had no doubt about his attitude. I raised the point in this way merely to give substance to the hope of the people there of receiving some help as they face the future. I had a report this morning of people out of work there. They are eager to be on the move.

I thank the Senator very much and commend him highly for the national legislation.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Indiana. I have thanked him previously and am pleased to yield.

Mr. BAYH. I should like to reiterate what our distinguished committee chairman has said, that there is assistance available to the remains of that four-room school, or other schools that have been so devastated; but the issue to which the Senator from Mississippi addresses himself, and the one to which the Senator from West Virginia has addressed himself is: What do you do in those areas where the school is still standing, but the tax base to support bonds on the school is destroyed?

Mr. STENNIS. Yes.

Mr. BAYH. This is the area that we are determined, through the leadership of our chairman and the cooperation of the House of Representatives, to deal with.

Mr. STENNIS. Yes. I thank the chairman of the subcommittee. That was the basic issue I raised, not the school building itself, but the devastation with no tax base left.

I am extremely gratified that we have before us a bill which will provide much needed assistance to the areas of our country which suffered so greatly from Hurricane Camille.

I think that to have such a bill so quickly after the occurrence of this terrible storm is a testimonial to the dedication and sense of urgency of the Public Works Committee and the conferees. It demonstrates to me that the Congress has understood, with clarity and compassion, the pitiful conditions that exist in the disaster areas, with the economy destroyed and the marks of death and sorrow left indelibly behind. It shows that when these conditions exist, legislative action can be obtained quickly and effectively. I am deeply grateful to all who have worked toward providing this bill for our consideration. I ask that we act upon it quickly and affirmatively, so that many of the uncertainties that face so many families, businesses, and local and State governments in these areas can be resolved, and they will know what they can count on from the Federal Government in their efforts toward recovery.

In my opinion the bill will accomplish the majority of actions that are necessary. Understandably, considering the relatively short period of time taken by the conferees in reaching agreement on this emergency action, there are some issues that could not be fully explored and resolved. They are for the most part the financial problems that are created for individuals, business concerns, and political subdivisions in these incredibly devastated areas. They constitute the real key to a healthy rebirth of a normal way of life and a sound economy in extensive portions of our country. I will indicate these points more specifically later in my remarks.

It is my understanding that hearings are planned to further examine these matters, with a view to a permanent bill adaptable to all future major disasters. I understand further that when such matters have been thoroughly explored, it will be possible to make the permanent legislation retroactive to cover this disaster, and any others—and I prayerfully hope that there are none—that may occur in the interim.

This is a fine bill, and an effective one, in starting to do now what must be done. It recognizes the widespread, catastrophic damage to streets, roads, and highways in the non-Federal-aid system, and provides matching Federal funds on a 50–50 basis. It recognizes, and assists in dealing with the problem of millions of acres of damaged timberland.

The bill authorizes the President to take emergency action with respect to housing for shelterless families, and to make it available within the means of those who so badly need it. It provides, when needed, a food program for low income families, and appropriate unemployment assistance. It provides grants for firefighting in forest conflagrations. It provides for removal of debris from privately owned lands and waters, when it is in the public interest.

With a view to the future, the bill would make matching funds available for preparation of State disaster plans. With other existing authorities it helps in agricultural recovery, such as in our tung and pecan groves.

In the matter of Small Business Administration and Farmers Home Administration loans, there is forgiveness, in relatively small amounts, for those in financial difficulties. Loans are provided at the going interest rate for Government money. I note that the bill does not address the question of upper limits on the amounts of loans. I would hope that no arbitrary loan limits will be established by the agencies administratively, and that dollar-loss figures will be the determining factor.

The bill authorizes SBA and FHA to refinance any mortgage or other lien outstanding against the destroyed or damaged property. The language, however, is permissive in nature. It appears to me possible that the agencies or the Bureau of the Budget might impose an administrative constraint on this action. I hope it will be clear that it is the intent of Congress that there not be imposed in this respect, or with regard to limits of loans, any arbitrary administrative actions that will prevent the legislation from being completely effective in its objective, which is to promote the economic recovery of these stricken areas.

My colleagues are aware that there are in the Camille area many communities, towns, cities, and counties so devastated that the tax base has literally been destroyed. Obviously, the financing of public indebtedness, by bonds or other means, is in a critical situation. This is a condition that is untenable as it stands, and it deserves and must receive our earliest consideration. Grants and loans are going to be necessary, and there must be a minimum delay if we are to prevent a chaotic financial situation at local levels of government. I trust this problem will be thoroughly explored, in hearings, as soon as possible, and appropriate legislative relief will be recommended.

I feel, too, that further review will indicate that there may be additional measures required with respect to educational facilities and agricultural recovery. The hearings will, I am sure, measure the degree with which we have addressed all of the problems in these terribly stricken areas.

I am convinced that this bill will be a first, long step down the road of recovery. It will leave us more steps to be taken, and these must be examined, but in this bill, together with other existing authorities, we have the framework for a reconstruction and rehabilitation plan.

I am proud and thankful that we have the chance to do so much, so quickly, for those who need it so badly. I urge your support of these necessary and constructive measures.

Mr. President, I do not care to take

further time of the Senate, except to say again, we thank you all, not only for what you have done to meet this emergency, but in behalf of the pending measure, which is nationwide legislation.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from Louisiana, who I know is vitally interested in this matter.

Mr. LONG. Mr. President, I wish to associate myself with everything that has been said here by the two able Senators from Mississippi. I am proud to join them as a cosponsor of this measure.

I have always felt that Louisiana has had more than two Senators. We have had some wonderful friends from Mississippi with whom we have shared many common interests. We have had to fight from time to time, over who owned the shrimp in the Gulf of Mexico, and where the boundary line between our States was; but other than that, there has been no quarrel whatsoever between our two States. Mississippi has helped our State when relief was needed, and we have tried to be an equally good neighbor.

But I believe both our States have another Senator in the distinguished chairman of the committee, the Senator from West Virginia (Mr. RANDOLPH). He has visited us from time to time, looked at our problems, and treated us fairly. In fact, he has gone the extra mile. If he is half as good a Senator for West Virginia—and I suspect he is; I suspect he is at least five times as good a Senator for West Virginia as he is for us—then he has 10 or 20 Senators he can count on to help West Virginia any time that is needed. And I am sure the same is true for his colleague from West Virginia (Mr. BYRD).

We all suffered great devastation in the recent disaster. Mississippi was hurt the hardest. The time before, it was Louisiana which was hit the hardest, with Hurricane Betsy. Much of what we are accomplishing in this fine legislation had a precedent in the Betsy bill, as we called it at that time. At that time the distinguished chairman of the committee gave us all the help that could be asked of anyone. So I think the entire Nation is fortunate to have this distinguished committee chairman to consider the plight of suffering people and depressed areas, and to provide the sort of generous help that has been accorded here.

The Senator from Indiana (Mr. BAYH) has given much thought to this matter. He has worked diligently, and tried to provide legislation that would take care of this sort of disasters when they occur. I think, meritorious as his efforts are, that he will find some of these things you cannot anticipate, but that you must, from time to time, tailor the bill to the facts. But I applaud the Senator from Indiana for his efforts to try to see that legislation will be available for all disasters. Certainly on any occasion such as this, there is every reason to see that the victims of the disaster should be given some help. We in Louisiana appreciate every bit of help given to us, and we appreciate the thoughtful way in which the chairman of the committee, and every member of it, have tried to provide here a bill to help the victims in all disaster areas.

Mr. STENNIS. I thank the Senator from Louisiana. I am sure that the appreciation for the efforts of the subcommittee and its chairman is nationwide.

Mr. BYRD of Virginia obtained the floor.

Mr. BYRD of Virginia. Mr. President, I yield briefly to my colleague from Virginia (Mr. SPONG).

Mr. SPONG. Mr. President, I should like at this time, in order that we might further develop the legislative history of the report, to direct a question to the chairman of the conferees, if I may have his attention.

I ask him, in section 14 of the report, do the conferees intend debris removal grants to include, for example, such things as trees, houses, outbuildings, automobiles, mud, silt, rocks, boulders, household effects, and dead animals?

Mr. BAYH. Yes, they do; and we might add to that such items as ships and other instruments of normal navigation and industry that would be in the area.

Mr. EASTLAND. Would it include boats, launches, barges, and litter on the beaches, lakes, and bayous?

Mr. BAYH. Yes, it would. We have some rather interesting testimony as to what would be considered as debris, for which prior to this time no assistance to private property owners was available.

We have found a farmer faced with clearing his neighbor's barn from out of the middle of his wheat field. The same could be said for a fishing launch found on the front porch of a rest home in one of the Senator's areas. We intend for a broad interpretation to be placed on what constitutes debris.

Mr. SPONG. I thank the Senator from Indiana, and I thank my senior colleague for yielding to me.

Mr. BYRD of Virginia. Mr. President, I commend the committee which developed the pending legislation.

Experts report that Hurricane Camille is probably the strongest storm to strike the mainland of the United States. In the wake of her winds and floods, thousands of people from the gulf coast to my home State of Virginia, are beginning a long, slow road back to a normal existence.

When a natural disaster occurs, it places an unbearable financial burden on the individual victim, and on the localities which have been hit. It is only proper that all Americans acting through their elected representatives in the Congress should share in the relief of a national disaster.

In the States of Mississippi and Louisiana alone, 200 persons lost their lives and some 200,000 were left homeless. Damage estimates in those two States approximated $1 billion.

The State of Virginia escaped the full force of Hurricane Camille. She did not, however, escape the rains which followed in the wake of the hurricane. On Tuesday, August 19, it is estimated that 27 inches of rain fell in one 8-hour period. This rain caused the worst flood in Virginia's history.

I personally visited the areas hardest hit by the flood. I followed by helicopter the devastation left in the path of the flood waters down the Tye and Rockfish Rivers.

I was accompanied by top officials of the Office of Emergency Management, and I was very much impressed by their effective work, and how quickly they moved in to be helpful to the people of the stricken localities.

Nelson and Rockbridge Counties were two of the hardest hit. These are small counties, Nelson with a population of 13,000 and Rockbridge with 24,000.

The damage to private property in these two counties alone was over $67 million. This accounts for more than half of the total damage to private property in the entire State.

I emphasize that these are two small rural counties, and it has been a terrible ordeal for the people in those areas.

The total value of property damaged in Virginia—private and public property such as roads and bridges—is estimated to be in excess of $150 million.

It is easy to add up the dollar value of property damaged, but it is impossible to place a value on the lives that were lost. The latest count shows 109 people have died and 44 are still missing.

The initial response to the emergency created by Hurricane Camille is testimony to the way Americans react when their fellow citizens are in need. I found it encouraging to see private companies lowering their prices to ease the initial burden of rebuilding. It is this sort of private initiative that that reaffirms my faith in the American spirit.

But no amount of private initiative can provide the necessary relief to the disaster victims. Entire towns have been washed away. People are homeless. Faced with this situation, people rightly turn to their government for help.

Once the President declared the State a major disaster area, the full effect of the Federal Government could be felt. On the day of this declaration, HEW opened a disaster hospital unit, HUD responded to requests for temporary housing, the Department of Agriculture provided enough food for 4,000 people and Small Business Administration Field representatives helped victims apply for emergency loans and established five emergency loan offices in the disaster areas. The Army Corps of Engineers immediately started to clear vital transportation routes.

But this is only the beginning. The difficult task of rebuilding lies ahead. It will not be accomplished in a matter of days, weeks, or even months. Many families will need assistance to survive through the winter months.

The long-range recovery will require a great deal of individual sacrifice. Special relief funds have already been established in many counties.

I am pleased to have cosponsored legislation with the distinguished senior Senator from Mississippi (Mr. EASTLAND), and another set of legislation introduced by the distinguished junior Senator from Mississippi (Mr. STENNIS), that would provide specific relief to victims of Hurricane Camille. There is a definite need for legislation to give relief to these people. I support the pending general disaster relief bill.

There is a need for general disaster relief legislation. It is impossible to predict natural disasters and, often, specific legislation comes too late.

An example of the swiftness and devastation with which flooding can come was afforded recently in northern Virginia. Three times this summer—on July 22, July 28, and August 2—the area around Four Mile Run was flooded as a result of heavy rains.

Although these floods were dwarfed by the extensive damage caused by the storm on the fringe of Hurricane Camille, the damage in northern Virginia was considerable. Preliminary estimates indicated losses of about $3.5 million.

I visited the Arlandria area, one of the hardest hit in the Four Mile Run floods, shortly after the most recent damage was incurred. It was obvious that immediate relief was needed, and equally obvious that the flooding had caught residents and businessmen unaware.

Four Mile Run presents a complex flood control problem. It also is an excellent example of the need for general disaster relief legislation and for flood insurance which would ease the burden of those hit by unpredictable floods.

While we cannot predict specific disasters, we can anticipate that natural disasters will occur, and if general disaster relief legislation is passed, then Federal agencies will know that they can act with some authority and that their programs will be supported with the necessary appropriations. General legislation will help remove some of the confusion which arises in an emergency situation.

I cannot say that the present relief legislation is perfect, but I can say that it goes in the right direction.

I commend the committee which developed the pending legislation and specifically its distinguished chairman, the Senator from West Virginia (Mr. RANDOLPH), and my colleague from Virginia (Mr. SPONG).

Mr. EASTLAND. Mr. President, I should like to ask the distinguished Senator from Indiana a question or two to make legislative history.

Is it correct that liberalized SBA loan procedures would definitely be extended to agriculture through the Farmers Home Administration?

Mr. BAYH. The Senator is correct. I appreciate, of course, the opportunity to answer any questions that the distinguished Senator from Mississippi addresses to me.

Mr. EASTLAND. Is it correct that SBA forgiveness provisions are extended to include victims of Betsy?

Mr. BAYH. The Senator is correct. The wording of this matter was so difficult to nail down officially that we tried to put it in the manager's report.

In my report and the report of Representative JONES the intention is to provide $1,800 forgiveness provision for each disaster.

Thus someone who was affected by the disaster involved in Betsy and received $1,800 forgiveness of his loan would also receive another $1,800 forgiveness if he were affected further in the Camille disaster.

I want to make it specifically clear that the intention was to provide $1,800 per disaster, but not to permit two $1,800 writeoffs under various sections of the bill—only one.

Mr. EASTLAND. Is it correct that unemployment provisions can be made for persons such as fishermen who have been classified as joint venturers rather than employees?

Mr. BAYH. The Senator is correct. The President is also given authority to reassess those who should be qualified for food stamps and to take into consideration—I think is the exact wording—the impact of the disaster on the income and earning capability of the prospective recipient.

Mr. EASTLAND. Is there any money limitations on the assistance made available on a 50–50 basis to affect permanent repairs on roadways not included in the Federal aid system?

Mr. BAYH. There is not.

Mr. EASTLAND. I thank the Senator.

Mr. DOLE. Mr. President, as one of the conferees I join with my colleagues on the Public Works Committee in supporting the conference report on H.R. 6508.

It has been a privilege for me, a junior Member of the Senate, to work with Members of the House and Members of the Senate in drafting this legislation.

To the Senator from Indiana (Mr. BAYH), the originator of this legislation, let me state that I appreciate his tolerance and understanding.

There are five new members on the Public Works Committee of the Senate and we raised some questions earlier this year about the effect of the legislation. In tribute to our chairman, I point out that he was kind enough a that time to explain the matter very carefully to each of us. And as a result of our discussion, we have clarified certain provisions about which objections had been raised.

There is no doubt that when disaster strikes, it brings a great hardship to many individuals. We had testimony to this effect today on the floor of the Senate by the Senators from Mississippi, the Senators from Virginia, and the Senator from Louisiana.

I had some reservations about the original Senate bill. Specifically, I think they were with respect to sections 5, 6, and 7. However, they have been clarified and modified, not only on the Senate side but also in the Senate-House conference. So, I believe that any objections I had have been removed.

This legislation will hopefully correlate all the Federal law on emergency assistance. And there is no doubt in my mind because Kansas is one of the States mentioned by our chairman, that the State-Federal coordinating officer will make it possible for individuals and public officials to be promptly made aware of their responsibilities and the assistance an injured party is entitled to.

There have unquestionably been many leaders working for the passage of this legislation. I refer to the distinguished Senator from California (Mr. MURPHY), who has been deeply interested in bringing relief to California. In fact, he introduced S. 993 one of the earlier bills this year with reference to the California disaster late last year and early this year. At any rate, the provisions of that bill by and large are incorporated in the Senate-House version.

This bill was also supported, I might add, by the distinguished junior Senator from California (Mr. CRANSTON), who is now in the Chamber.

I think the important thing here, as I view it, is the fact as pointed out by the Senator from Virginia (Mr. SPONG) that we are a responsive body and that within 30 days after the Camille disaster the Senate-House conferees—who were rather far apart when we recessed last month—were able to get together and work out some very major differences and were able to compromise these differences and bring the bill to function in a matter of days.

There are several provisions of the bill which require further study. However, these provisions of the bill will expire on December 31, 1970, giving us an opportunity to hold hearings next year on their effectiveness.

As indicated by the chairman of the committee and other Senators, we will have more hearings and more studies and more comprehensive planning. However, at least this is a step in the right direction.

I would state again to my friend the Senator from Indiana that he deserves much of the credit.

I am happy as a freshman Member of the Senate and of the committee to have had some small part in bringing about this legislation.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. BAYH. Mr. President, I express my appreciation to the Senator from Kansas for his cooperation. I express also my appreciation to the Senator from Florida (Mr. GURNEY) who is at this moment the Presiding Officer, who served on the conference committee, and particularly in that initial meeting with our illustrious counterparts in the House, they were instrumental in insisting that we give attention to the need for a nationwide bill of significantly long duration and not confine our effort to one specific area of a disaster that has already happened.

If it had not been for the cooperation of the Senator from Kansas and the other members of the committee, I think it is interesting to point out that we could have cleared the House bill which dealt with California and then recessed. In that event, in less than a week we would have been confronted with the Camille disaster that did damage to the extent of approximately $1¼ billion in a State that would not have been covered by that bill.

I am particularly appreciative of the assistance rendered by Senators in coming back and after the recess, in a fine spirit of cooperation among all members of the conference committee, coming up with what I think will be landmark legislation.

Mr. YOUNG of Ohio. Mr. President, as chairman of the Subcommittee on Flood Control-Rivers and Harbors, I wish to join the chairman of the full Committee on Public Works and the distinguished Senator from Indiana (Mr. BAYH) in praising the work accomplished by the Senate and House conferees on this disaster relief bill. They have labored well

and hard. I am naturally pleased that many of the provisions of this legislation will be of direct benefit to the people of Ohio who also have suffered severe storm damage in recent months.

I agree there is still much for us to do in strengthening the national disaster relief program, and I pledge my continued supoprt of efforts to bring that about.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON SUPPORT COSTS FOR VIETNAM, LAOS, AND THAILAND

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, a confidential report on support costs for Vietnam, Laos, and Thailand (with an accompanying report); to the Committee on Appropriations.

REPORTS ON PURCHASES AND SALES OF GOLD AND STATE OF U.S. GOLD STOCK AND REPORT ON INTERNATIONAL MONETARY FUND DISCUSSIONS

A letter from the Secretary of the Treasury, transmitting, for the information of the Senate, two semiannual reports on (1) U.S. purchases and sales of gold and the state of the U.S. gold stock; and (2) International Monetary Fund discussions on the evolution of the international monetary system, for the period January 31–June 30, 1969 (with accompanying reports); to the Committee on Foreign Relations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on review of assistance to Laos as administered by the Agency for International Development (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps Program under title IB of the Economic Opportunity Act of 1964, Los Angeles County, California, Department of Labor, dated September 17, 1969; to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

S. 55. A bill for the relief of Leonard N. Rogers, John P. Corcoran, Mrs. Charles W. (Ethel J.) Pensinger, Marion M. Lee, and Arthur N. Lee (Rept. No. 91–415).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, with amendments:

S. 858. A bill to amend the Agricultural Adjustment Act of 1938 with respect to wheat (Rept. No. 91–417);

S. 1181. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer (Rept. No. 91–416); and

S. 2214. A bill to amend section 602(c)(2) of the Agricultural Marketing Agreement Act of 1937, as amended (Rept. No. 91–418).

By Mr. BIBLE, from the Committee on Appropriations, with amendments:

H.R. 12781. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–420).

TEMPORARY EXTENSION OF RURAL HOUSING PROGRAMS AND FEDERAL HOUSING ADMINISTRATION INSURANCE AUTHORITY—REPORT OF A COMMITTEE (S. REPT. NO. 91–419)

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report favorably an original joint resolution (S.J. Res. 152) to provide for the temporary extension of rural housing programs and Federal Housing Administration insurance authority, and to extend the period during which the Secretary of Housing and Urban Development may establish maximum interest rates on insured loans, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and the joint resolution will be placed on the calendar, and the report will be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

A. Sydney Herlong, of Florida, to be a member of the Securities and Exchange Commission.

By Mr. LONG, from the Committee on Finance:

William H. Quealy, of Virginia, to be a judge of the Tax Court of the United States.

BILLS AND JOINT RESOLUTIONS INTRODUCED OR REPORTED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred or placed on the calendar, as follows:

By Mr. CRANSTON:

S. 2918. A bill for the relief of Jose S. Cervantes; to the Committee on the Judiciary.

By Mr. GOODELL:

S. 2919. A bill to assist State and local criminal justice systems in the rehabilitation of criminal and youth offenders, and the prevention of juvenile delinquency and criminal recidivism, by providing for innovative programs of vocational training, job placement, counseling, correctional education services, corrections systems manpower acquisition, the establishment of regional Crime and Delinquency Centers, a national criminal justice professions recruitment program, and for other purposes; and

S. 2920. A bill to amend the Bail Reform Act of 1966 to authorize consideration of danger to the community in setting conditions of release, to provide for pretrial detention of dangerous persons, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. GOODELL when he introduced the bills appear earlier in the RECORD under the appropriate heading.)

By Mr. GOODELL (for himself, Mr. CASE, Mr. GRAVEL, Mr. HOLLINGS, Mr. INOUYE, Mr. JAVITS, Mr. METCALF, Mr. MILLER, Mr. NELSON, and Mr. PERCY):

S. 2921. A bill to assist State and municipal governments and nonprofit, private organizations in providing for the development of programs and the construction, maintenance, operation and staffing of facilities for the prevention, treatment and rehabilitation of drug addicts, and in reducing the incidence of crime and delinquency related to narcotic drug addiction and drug abuse, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. GOODELL when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. HOLLINGS:

S. 2922. A bill to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. TALMADGE:

S. 2923. A bill for the relief of Dimitrios Tzaras; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2924. A bill to improve judicial machinery by amending provisions of law pertaining to jurisdiction of the district courts and for other purposes; to the Committee on the Judiciary.

By Mr. BAYH:

S. 2925. A bill for the relief of Alexander Mearis; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 2926. A bill for the relief of Nunziante Leo; and

S. 2927. A bill for the relief of Giovanni Del Lucia; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 2928. A bill to amend the Communications Satellite Act of 1962 to permit State ownership of satellite terminal stations; to the Committee on Commerce.

(The remarks of Mr. GRAVEL when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. BYRD of West Virginia:

S. 2929. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and

S. 2930. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. ANDERSON:

S.J. Res. 151. Joint resolution to authorize and request the President to proclaim the period October 6, 1969, through October 10, 1969, as "American Indian Week"; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S.J. Res. 152. A joint resolution to provide for the temporary extension of rural housing programs and Federal Housing Administration insurance authority, and to extend the period during which the Secretary of Housing and Urban Development may establish maximum interest rates on insured loans; placed on the calendar.

(The remarks of Mr. SPARKMAN when he reported to joint resolution appear earlier in the RECORD under the appropriate heading.)

S. 2928—INTRODUCTION OF A BILL TO AMEND THE COMMUNICATIONS SATELLITE ACT OF 1962

Mr. GRAVEL. Mr. President, on several recent occasions I have discussed before this body the importance of using new technology to solve some of the

monumental development problems related to Alaska. In particular, I have discussed the immediate need to bring modern educational and cultural techniques into the truly isolated communities of Alaska. The only economically feasible way to do this is via satellite. This is a proven method of effective and reliable communications.

In addition, Mr. President, I have pointed out the need for both, I repeat, both types of communications—educational and cultural programing in all forms, such as radio and television. While public and commercial communications use similar techniques, the commercial methods must meet traditional profit criteria. On the other hand, the educational and cultural networks need not, and cannot, and should not, meet profit criteria.

The problem of generalized public communications is not unique to Alaska. A number of our States could benefit from the legislation that I am introducing today. Educational and cultural organizations in every one of our 50 States will benefit from this legislation.

My legislation is an amendment to the Communications Satellite Act of 1962. I propose that each State of this Union have the right to own or participate in the ownership of ground stations. There are cost savings factors to the States, to educational institutions, and to cultural public organizations that cannot be ignored if the general public is to effectively enjoy the fruits of their costly but worthwhile research in space technology.

Further, and extremely fundamental, is the right of the States to acquire satellite services for education and culture without being forced to go through a wholesaler. I stress that this provision in no way is to lessen or modify provisions related to this type of service in other recent acts of Congress. But it is extremely important, in my view, to affirm this fundamental right of the people to benefit directly from research paid for by public funds, in the domain of satellite communications.

A number of recent acts of Congress, such as those creating the Networks for Knowledge, and the Lister Hill National Center for Biomedical Communications, will benefit directly from my amendment. The two acts above give precedence to my legislation today.

The era of satellite communications has been stymied, let me qualify this to say, has been perverted by traditional use of formulas predicated on the amortization of terrestrial or submarine methods of transmission and distribution. This issue is complex.

But let us at least allow our educational institutions to benefit now from this American technology. No American school should go without the means to reach other banks of knowledge because of outdated standards or because of corporate in-fighting.

Mr. President, my amendment aims at only this issue. My first consideration is to allow educational and public cultural communications using satellites. Second, I propose that the participants be allowed to choose their most economical local solution related to ownership of stations for educational and cultural applications. We must remove the barriers to scholarly and formative exchanges between similar institutions located in several States if we hope to avoid each State duplicating another's scarce educational dollars.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2928) to amend the Communications Satellite Act of 1962 to permit State ownership of satellite terminal stations, introduced by Mr. GRAVEL, was received, read twice by its title, and referred to the Committee on Commerce.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 2656

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from California (Mr. CRANSTON), I ask unanimous consent that, at the next printing, the name of the Senator from Maryland (Mr. TYDINGS) be added as a cosponsor of the bill (S. 2656) to establish a Mass Transit Trust Fund.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2667

Mr. DOMINICK. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Idaho (Mr. JORDAN), be added as a cosponsor of S. 2667, to provide additional penalties for the use of firearms in the commission of certain crimes of violence.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2847

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at the next printing, the names of the Senator from Oklahoma (Mr. HARRIS), the Senator from New Jersey (Mr. CASE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wyoming (Mr. MCGEE), and the Senator from Washington (Mr. MAGNUSON) be added as cosponsors of S. 2847, to amend the Foreign Assistance Act, as amended, to authorize the Secretary of State to participate in the development of a large prototype desalting plant in Israel.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 89

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from West Virginia (Mr. RANDOLPH) be added as a cosponsor of Senate Joint Resolution 89, expressing the support of the Congress, and urging the support of Federal Departments and Agencies as well as other persons and organizations, both public and private for the international biological program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 148

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that, at the next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the joint resolution (S.J. Res. 148) to authorize the Department of Health, Education, and Welfare to make allocations to local educational agencies under Public Law 874 based on the full entitlements.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 260—RESOLUTION MAKING COMMITTEE ASSIGNMENTS FOR THE SENATOR FROM ILLINOIS (MR. SMITH)

Mr. SCOTT submitted a resolution (S. Res. 260) making committee assignments for the Senator from Illinois (Mr. SMITH), which was considered and agreed to.

(The remarks of Mr. SCOTT when he submitted the resolution appear earlier in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSORS OF RESOLUTIONS

SENATE RESOLUTION 179

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from West Virginia (Mr. RANDOLPH) be added as a cosponsor of Senate Resolution 179, expressing the sense of the Senate that the United States should actively participate in and offer to act as host to the 1972 United Nations Conference on Human Environment.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 243

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. BAYH), I ask unanimous consent that, at the next printing, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from Idaho (Mr. CHURCH), and the Senator from Washington (Mr. MAGNUSON) be added as cosponsors of the resolution (S. Res. 243) to make it the sense of the Senate that the President should request the United Nations to take such steps as may be appropriate to bring about compliance by the Government of North Vietnam with its obligations under the Geneva Convention of August 12, 1949, relative to the treatment of prisoners of war.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN ASSISTANCE ACT OF 1969—AMENDMENT

AMENDMENT NO. 175

Mr. PERCY. Mr. President, I rise today to speak about a matter of utmost importance—yet one which, in comparison with our total Federal budget—calls for a comparatively small investment. I speak in support of more effective family planning programs at home and an increase in aid, where requested, for family planning abroad.

The frightening aspects of the worldwide population explosion have been

Public Law 91-79
91st Congress, H. R. 6508
October 1, 1969

An Act

To provide additional assistance for the reconstruction of areas damaged by major disasters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

Disaster Relief Act of 1969.

83 STAT. 125
83 STAT. 126

SEC. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 per centum of all costs of such repair or reconstruction.

Highway repairs.

SEC. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than $1,000 for sales under one million board feet, or (2) of more than $1 per thousand board feet for sales of one to three million board feet, or (3) of more than $3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

Timber sale contracts.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

Cancellation authority.

(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the reconstruction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

Public notice of sale.
30 Stat. 35; 31 Stat. 661.

(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

Public land entrymen.

83 STAT. 126

83 STAT. 127

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

Repeal.
80 Stat. 1010.

SEC. 5. The last paragraph under the center heading "Administrative Provisions" in title II of the Public Works Appropriation Act, 1967 (Public Law 89-689), is hereby repealed.

SBA disaster loans.
72 Stat. 387.

SEC. 6. In the administration of the disaster loan program under section 7(b)(1) of the Small Business Act, as amended (15 U.S.C. 636(b)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

Emergency farm loans.
75 Stat. 311.

SEC. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961–1967), in the case of property loss or damage in any affected State resulting from a major disaster the Secretary of Agriculture—

(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of $500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so cancelled shall not exceed $1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available

from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

State disaster relief programs, development.
"State."

SEC. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(b) The President is authorized to make grants not to exceed $250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

State agency, designation.

(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

Report to Congress.

(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

Federal coordinating officer. Appointment.

SEC. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinating officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

Temporary dwellings.

SEC. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such authority as may be designated by the President, had occupied a dwelling, as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

Food coupon allotments.

SEC. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

78 Stat. 703.
7 USC 2011 note
64 Stat. 1110; 67 Stat. 180.
42 USC 1855b.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

Unemployment assistance.

SEC. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

Fire suppression.

SEC. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

SEC. 14. The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris. Debris removal.

SEC. 15. (a) As used in this Act the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970. "Major disaster." 64 Stat. 1109.

(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date. Termination date.

SEC. 16. This Act may be cited as the "Disaster Relief Act of 1969". Short title.

Approved October 1, 1969.

LEGISLATIVE HISTORY:

HOUSE REPORTS No. 91-322 (Comm. on Public Works) and No. 91-495 (Comm. of Conference).
SENATE REPORT No. 91-280 accompanying S. 1685 (Comm. on Public Works).
CONGRESSIONAL RECORD, Vol. 115 (1969):
July 8, 9: Considered and passed House.
July 8: S. 1685 considered and passed Senate.
July 10: Considered and passed Senate, amended.
Sept. 18: House and Senate agreed to conference report.

GPO 37-139